

**TOWN OF HARVARD
PLANNING BOARD AGENDA
MONDAY, JANUARY 9, 2023 @ 7:00PM**

Pursuant to Chapter 107 of the Acts of 2022, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on July 16, 2022, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

THVolGovt Pro is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/82766287728?pwd=cFBSV05mU2lZUmpGdTc3R2JOTW85UT09>

Meeting ID: 827 6628 7728

Passcode: 208375

One tap mobile

+13017158592,,82766287728# US (Washington DC)

+13052241968,,82766287728# US

Dial by your location

+1 301 715 8592 US (Washington DC)

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+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

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Meeting ID: 827 6628 7728

Find your local number: <https://us02web.zoom.us/u/kpM337e8G>

Public Comment

Old Business: a) Ayer Road Visioning Plan Update with Weitzman Associates
b) Continuation of a Site Plan Review – Chris & Emily Goswick, 184 Ayer Road, for Mixed Use building (Residential unit & medical office)
c) Review Special Permit Decision for DISH WIRELESS L.L.C., 131 Brown Road
d) Open Space Residential Development Bylaw Amendment (§125-35 C, H & I)

New Business: a) ZBA Request for Comments – 90 Warren Avenue

Public Hearings:

7:30pm **Continuation of Special Permit, Ayer Road Village-Special Permit and Site Plan Review Hearing - Yvonne Chern & Wheeler Realty Trust, 203 Ayer Road**, for the development of three commercial use buildings, including a Commercial Entertainment and Recreation use.

8:00pm **Continuation of Bylaw Hearings:**

- 1) Amend Section 125-7 Agricultural uses; and
- 2) Add new section, 125-59 Town Center Entertainment Overlay District

Standard Business: a) Board Member Reports

- Representatives & Liaisons Update
 - Community Matters
- b) Approve Minutes

**NEXT SCHEDULED MEETING:
MONDAY, JANUARY 23, 2023**

AS

Site Plan Approval

Proposed Project:

184 Ayer Road

Harvard, Massachusetts

Map 8/ Parcel ID 41



Date: November 29, 2022

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street – Suite #1
Lunenburg, Massachusetts 01462

Prepared For: Chris & Emily Goswick
200 Pleasant Street
Marlborough, MA

TABLE OF CONTENTS

Sections:

1. Executed Site Plan Application
2. Project Narrative
 - Project Type
 - Site Description
 - Proposed Development
 - Protective Bylaw Requirements
3. Turning Exhibit Plan
4. Record Deed/Assessors Card
5. Architectural Plans

Attachments:

Site Plan

1.0 Site Plan Application

APPLICATION TO THE HARVARD PLANNING BOARD

Applicants should review the Harvard Protective (Zoning) Bylaw, Chapter 125 of the Code of the Town of Harvard, the Planning Board's Rules and Regulations, Chapter 133 of the Code of the Town of Harvard and the Requirements regarding Driveway Inspections (Chapter 125 of the Protective Bylaw). Copies of the Bylaw may be purchased from the Town Clerk and copies of the Rules and Regulations may be purchased from the Land Use Office. Information is also available online at www.harvard.ma.us. The Rules and Regulations specify the documents that are required as a part of the application. The Application, with certified abutters list and filing fee, must be filed with the Town Clerk.

Name of Applicant: Chris & Emily Goswick

Address: 200 Pleasant Street Marlborough, MA Phone: _____ Email: _____

Applicant is (check one): Owner _____ Agent X Prospective Buyer _____

Location of Property: 184 Ayer Road Harvard, MA Zoning District: Commercial

Harvard Assessors' Map 8 Parcel 41

Registry of Deeds: Book Number 51910 Page Number 0171

Owner's Name: Phoenix-Durango LLC Email: _____

Owner's Address: 345 Main Street Northbrough, MA Owner's Phone: _____

Seventeen (17) copies of the application must be submitted to the Town Clerk. This application is for:

- Special Permits* \$500/required permit
- Driveway Site Plan \$180
- Inspections of Driveways \$300
- Approval of Covenant \$100
- Wireless Communication Tower \$2500
- Consultant Review Fee** \$1000
- Site Plan Review with a Special Permit \$180
- Site Plan Review without a Special Permit \$500
- Modification/Extension 1/2 of original application fee

Specific bylaw section(s) you are applying under § 125-38 Site plans.

* Unless otherwise specified

** Required with all Special Permit Applications. This is a deposit to cover costs of Planning Board consultants and additional amounts may be required depending on the complexity of the Application. All unused monies will be returned. Please submit "Request for New Vendor" form with application. (Available on line at www.harvard.ma.us under Forms & Documents)

All applications associated with a Wireless Communication Tower requires proof of compliance with § 125-27H(2)

All filing fees are cumulative. All Special Permits and uses subject to Site Plan Approval require Driveway Inspections and written approval by the Planning Board, or its agent, prior to issuance of an occupancy permit or use of the premises (§ 125-31 C) All Shared (common) Driveways require an approved covenant running with the land in accordance with § 125-31 B (4) (b). The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper. The undersigned hereby requests a hearing before the Planning Board with reference to this application.

Signed: Emily Goswick
885D06A088D2495...

2.0 Project Narrative (Section 4.1)

2.1 *Project Type*

The proposed project includes the reconfiguration and restriping of the existing parking lot. The project also includes the replacement of existing brick walkway and sewage disposal system.

2.2 *Site Description*

The project is located at 184 Ayer Road. There's an existing 2,574 SF structure located on the West end of the site. The parking areas to the North, East, and South of the building are paved with no identifiable striping. An existing sewage disposal system is located to the rear of the structure. The remaining undeveloped East side of the site is heavily wooded.

2.3 *Proposed Project*

The proposed project includes restriping the existing parking lot and removal of the existing excess paved area on the south side of the site. The project will also include the removal of the existing sewage disposal system and the installation of the proposed design. The existing brick walkway will be replaced by the proposed walkway.

2.4 ***Protective Bylaw (250-39) Site standards.*** *Except as otherwise specifically provided in this Bylaw, a site for any business use, use subject to special permit (see § 125-46, Special permits), use subject to site plan approval, or other use as may be indicated in this Bylaw shall be developed in accordance with the following site standards and § 125-38, Site plans:*

The following is a description of the project compliance with the applicable Site Plan Approval requirements. Where appropriate, waivers have been requested.

A) Parking and loading.

1) All turnaround, parking, loading, and other traffic areas may be shared between lots, to provide alternative parking configurations and minimize the creation of impervious areas.

No shared parking between adjacent lots is being proposed.

2) Any driveway for traffic access to and from the street shall be designed and maintained for safe, rapid access. Except for driveways that serve primarily residential uses of the type permitted in the AR District, such driveways shall not be used as normal walkways to and from parking areas or as normal loading areas or associated maneuvering space. For a corner lot the side line of an access driveway shall be at least 100 feet from the side line of the intersecting street.

The proposed project will use the existing driveway entrance from Ayer Road with no proposed modifications.

3) Parking areas shall be subdivided so that such areas shall extend no more than 160 feet along a parking access aisle or other driveway without a green area of width at least 20 feet. Alternatively, such extent shall be no more than 80 feet without a green area of width at least 10 feet

a) To help further to provide safe parking areas, automobile parking area design shall be based on: Parking stalls at least nine by 19 feet; Slant parking only if the aisle is one-way; Parking aisle width of at least 24 feet reducing at 0.2 foot per degree of reduction of angle of parking from 90° to 45° to a minimum aisle width of 15 feet.

Proposed parking stalls have been designed such that they meet the described specifications.

b) Car stops shall be provided: Where intermeshing stalls provide for cars parked end to side; or Where needed to prevent unauthorized vehicular intrusion into green areas.

The proposed parking plan does not include intermeshed stalls nor any instances where there is a significant risk of intrusion into green areas (or into the structure). As such, no wheel stops are proposed.

4) Loading docks and outdoor areas for storage or for overnight parking of trucks or other equipment shall be at the side or rear of any main building.

The project does not include a loading dock or outdoor area for storage.

5) Where, however, delivery vehicles will use parking areas, access driveways, turnarounds, and access ramps to loading docks, such facilities shall be designed to accommodate a truck which is eight feet wide with two-foot clearance. Access to streets shall be such that a vehicle with an outer turning radius of 45 feet can make right-hand turns into, and out of, the roadway without encroaching on lanes intended for street traffic moving in the opposite direction.

B) Standards for driveways. The intent is to make available site standards for driveways which are appropriate to the intensity of actual use. For a driveway which serves only one- or two-family residences the use of this site standard is required only if it is specifically so stated in § 125-31, Driveways, of this bylaw.

1) Nonresidential driveway standards

(a) Driveways that serve commercial, industrial, or other non-residential uses shall be limited to one entrance and one exit per street. One combined entrance/exit is preferable to facilitate traffic movement; the entrance/exit

shall be separated by a traffic island. Where frontage exceeds 400 feet, the Planning Board may approve an additional access. Traffic islands shall contain bricks, stone, or ornamental pavers, and islands may contain other design treatments such as landscaping, fences or low stone walls reflective of Harvard's cultural landscape. The islands shall not impede safe pedestrian crossing and shall meet accessibility standards. Applicants proposing developments that will generate 400 or more trips per day (average daily traffic) based on the most recent Trip Generation Manual of the Institute of Transportation Engineers shall prepare a traffic impact study. A registered professional transportation engineer shall prepare the study, which shall document: Total and peak hour trip generation; Existing and proposed levels of service of the roadway providing access to the site; Projected conditions at the access points to the development; and Mitigation measures that could be taken to reduce the impacts of the proposed project and their estimated cost. These should include capacity enhancements such as added turn lanes, signalization, and improvements to intersections and medians. The traffic study shall make specific proposals for mitigation measures to be implemented by the applicant; said mitigation measures shall be the financial responsibility of the applicant. The potential for driveway connections to neighboring lots must be explored. The study should take into account those improvements that are planned and/or currently implemented by the Town or the state.

As referenced above, there are no proposed changes to the driveway to the site associated with the proposed project. The number of vehicle trips per day is expected to be well below the 400 trip threshold. As such, no traffic study has been prepared or is proposed.

- (b) *The development shall preserve the buffer strip [see § 125-39C(1)] except for the width necessary to access the parking areas.*

Existing buffer strips surrounding the existing parking lot will be preserved. The buffer strip from the parking area to the Route 2 right-of-way will be increased as some existing pavement is being removed in this area.

- (c) *To reduce turning movements onto main thoroughfares, applicants are encouraged to connect internal roadways with adjacent developments. When adjacent lots have contiguous frontage, the Planning Board may require such lots to share a single driveway, or that the lots be accessed by an internal service road. Where such sharing cannot be achieved in the short run, the means and location for future long term inter-parcel connections may be required through right-of-way reservation and/or dedication.*

No shared parking between adjacent lots is being proposed.

(d) *Where it is proposed to re-develop property, the Planning Board will evaluate existing access and work with the applicant to re-design curb cuts to improve safety and traffic flow. Where appropriate, the Board may require a reconfiguration to the existing access or the removal of unnecessary driveway openings in favor of fewer access points with a greater level of traffic control.*

The project is a renovation of the existing structure with no proposed exteriors additions (except for improvements to the front entrance for accessibility reasons). The is no structure change to any of the parking areas. As such, it is the applicants intent to use the existing driveway/curb cut in its current configuration.

(e) *The angle of intersection of the driveway center line with the roadway center line is at least 60° and the transition from driveway to roadway is flared so that vehicles, including an SU30, may make the required turns without leaving the surface of either, or, if lanes are marked, without leaving marked lanes.*

A turning exhibit has been prepared which documents that an SU-30 design vehicle can negotiate the existing driveway entrance.

[1] For the purpose of designing flares, a passenger car has the turning radii of an American Association of State Highway Transportation Officials (AASHTO) passenger car, P20, and a "fire truck" or "moving van" [see § 125-29F(1)(f)] has the turning radii of an AASHO single-unit truck, SU30, with minimum turning radii as follows:

<i>Vehicle</i>	<i>Inside Radius (feet)</i>	<i>Outside Radius (feet)</i>
<i>Car</i>	20	30
<i>Truck</i>	30	45

See comments response above.

[2] The flare at an intersection of a branch of the driveway is designed so that vehicles may make the required turn. If there is no additional turnaround, the intersection must be constructed so that it can serve as a turnaround for vehicles. Exception: If the lot frontage and the roadway are too narrow to permit an AASHO SU truck to make both turns in a single pass, the driveway layout shall favor the turn from the direction of the fire station, by the most likely route.

See comments response above.

[3] Plans showing special requirements for driveways connecting with state-maintained ways are available at the district or state offices of the Massachusetts Department of Public Works.

The existing driveway access to Ayer Road is beyond the limits of the State Highway Layout, and is therefore not subject to a MassDOT Highway Access permit.

- (6) *Construction. Driveways and parking areas shall be constructed with crowns and drainage so as to be serviceable in all weather. There shall be a permeable gravel base of which at least eight inches is two feet or more above the level of saturation established by high water table or by drainage. [The need to engineer for water table within one foot of the surface should be anticipated on even apparently high ground in soils described and shown in the 1970 Master Plan (Comprehensive Plan of Development for Harvard) as "Paxton-Woodbridge Association," on account of perched water table.] There shall be in addition a surface layer at least four inches thick of gravel or two inches thick if bituminous paving; greater depths should be used if customary for the purpose for which the driveway or parking lot is intended.*

Since there is no proposed parking lot or driveway construction, this section is not applicable to the application.

- (7) *Turnarounds. The inside radius of curvature for the surface of a circular driveway or turnaround for use by cars only shall not be less than 20 feet; if for use by trucks as well as cars, 30 feet.*

There is no proposed circular driveway proposed for the project.

- (8) *Runout. Except at intersections of its various parts, and at the street, a change in driveway width shall not be more abrupt than one foot in width for each eight feet of length.*

As mentioned, the existing driveway and parking area is to be used for the proposed project.

C. Open areas

- a. *A buffer strip around the lot perimeter, of width at least 10% of standard lot width or of actual (maximum) lot width, whichever is lesser, shall be left as green area, except to allow for shared parking areas pursuant to § 125-39A(1).*

- a) *Where the access to a lot is too narrow to accommodate the width of the buffer strips along the side lines, said access may be used only for access (including access for utilities), drainage, green area, and a sign near the road.*

The is no proposed change to the buffer stip at the site.

- b) *Where lawful preexisting site development without said buffer strip has provided a parking or other traffic area between a building and the street, then along said area*

the buffer strip width may be reduced to not less than five feet to preserve a traffic area depth of up to 75 feet.

As mentioned, there are no proposed modifications for the existing driveway access to Ayer road or to the parking areas, except for the removal of some existing pavement on the southerly side of the site.

2) All lots developed under the provisions of the commercial uses sections (§§ 125-12, 125-13, and 125-14) shall provide a green area consisting of at least 50% of total lot area. Further, all required setbacks shall be landscaped, planted as green space, or, where feasible, retained in a natural vegetative state.

There is greater than 50% green area on the property currently, and this will be increased with the removal of some pavement on the southerly side of the site.

D) Screening

1) Any lighting shall be arranged to deflect light away from neighboring properties and streets (see § 125-40, Lighting).

There is significant vegetation between the existing parking area and the adjacent Dunkin site.

2) Any outdoor area for storage or for utilities shall be screened from view from neighboring properties and streets.

There are no proposed outdoor storage areas proposed as part of the project.

3) Any business use shall be screened from view from any neighboring residence in a residential (AR or MR) District, church, school, park, or playground or other public grounds. However, such screening is not required: In a primary (C) business district, parallel to and facing an arterial street; or Where the business building has a lawful existing nonconforming setback from the street or roadway, along the lot frontage.

The building is located in a Commercial District and is a pre-existing structure. As such, no additional screening is proposed.

4) Where equivalent screening is not already existing, screening shall be by substantially sight-impervious, dense, hardy evergreen plantings or by suitable earthworks, wall, or tight fence, complemented by evergreen plantings. Screening shall be maintained and replaced as needed. Said evergreen plantings may be of less than full height and density initially provided plantings are of suitable character, spacing, and size to give full screening to at least eight feet in height within seven years of site plan approval.

See comment responses above.

5) Preferred plantings are Eastern White Pine, Austrian Pine, Canada Hemlock, or Douglas Fir, double row, staggered, four feet or more in initial height, and spaced eight feet or less within each row. Alternates are Spruce (Norway, Black Hills, or Serbian) where limited spread is needed, American Arbor Vitae where soil is wet, and Eastern Red Cedar where soil is dry, all with closer spacing, and a single row of double density where space does not permit a double row. Other plantings may be approved with the advice of a registered landscape architect.

The is no additional plantings proposed as part of the project.

E) **Fire protection.** Where the site abuts an area in a W District or an adjacent municipality, development shall provide water supply for fire protection, with suitable access, except where a water hole, pond, hydrant, or other suitable supply already exists within 1,000 feet of each building on the site within the Town of Harvard

This provision is not applicable to the proposed site.

F) **Drainage.** Any and all surface water runoff resulting from the development shall be retained within the lot in which it originates or shall be discharged into existing identifiable watercourses without material impact on abutting properties. Additionally, Massachusetts Department of Environmental Protection (DE P) Stormwater Best Management Practices and other measures to minimize surface water runoff and improve water quality must be implemented and reflected in documents submitted for site plan approval.

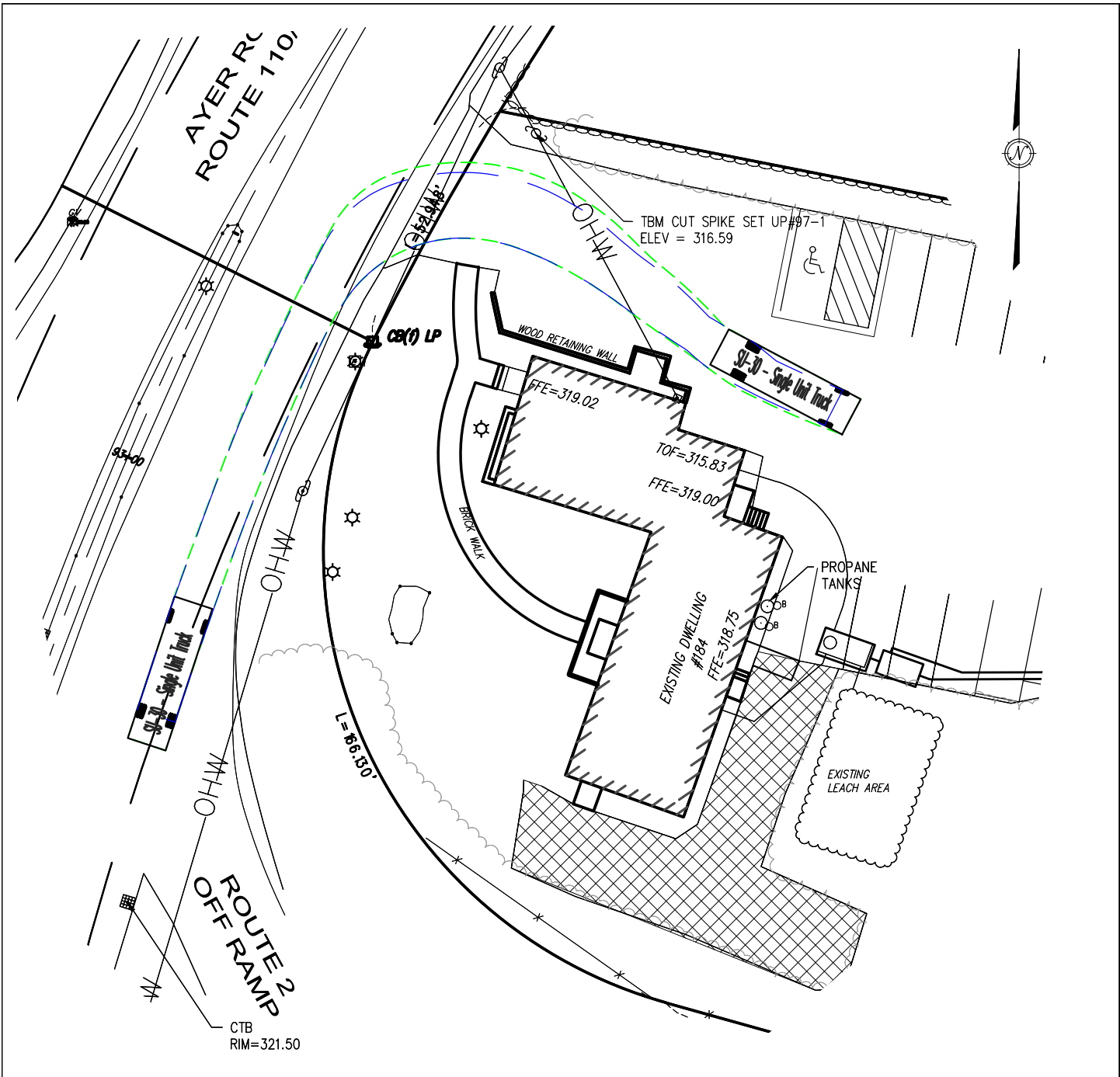
There are no proposed changes to the sites stormwater management system. Currently, the runoff from the roof and parking areas on site drain toward the wooded area in the rear of the site. This drainage pattern will be preserved with no proposed changes.

The runoff from the pavement areas is being reduced by the removal of paved area to the south and east of the existing structure.

G) *Sidewalks.*

The applicant respectfully requests that the Board Waive the requirement for the construction of sidewalks across the frontage, as the exist ramp from Route 2 is located immediately adjacent to the site. We also note that there are no sidewalk associated with the adjacent development so there is not an immediate opportunity for connected sidewalks in the area.



3.0 Turning Exhibit Plan



TURNING EXHIBIT PLAN

184 AYER ROAD
 HARVARD, MASSACHUSETTS
 PREPARED FOR: CHRIS & EMILY GOSWICK

LEGEND

PROP. FEATURE	DESCRIPTION
	OUTER TRUCK PATH
	WHEEL PATH



CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS
 1 MAIN STREET, SUITE 1
 LUNENBURG, MA 01462 PHONE: (978) 779-6091
 www.dillisandroy.com



SCALE: 1" = 30'
 DATE: NOVEMBER 29, 2022
 FILE No.: 6932

4.0 Record Deed/Assessors Card



2021 00047199

Bk: 64869 Pg: 275

Page: 1 of 3 04/06/2021 01:50 PM WC

MASSACHUSETTS EXCISE TAX
 Worcester District ROD #20 001
 Date: 04/06/2021 01:50 PM
 Ctrl# 221708 18818 Doc# 00047199
 Fee: \$2,964.00 Cons: \$650,000.00

Metropolitan Title Co., LLC
Worcester, MA
mettitleco@gmail.com

QUITCLAIM DEED

12 Lancaster County Road, LLC, a Massachusetts limited liability company with a place of business at 43 Delaney Road, Stow, Massachusetts 01775

for consideration paid and in full consideration of Six Hundred Fifty Thousand and 00/100 (\$650,000.00) Dollars,

grants to Phoenix-Durango LLC, a Massachusetts limited liability company with a principal address at 345 Main Street, Northborough, Massachusetts 01532

with *Quitclaim Covenants*,

the land in Harvard, Massachusetts, with the buildings thereon, situated on the northerly side of Route 110, bounded and described as follows:

Beginning at a point in the easterly side of Route 110, the northwesterly corner of the lot, at corner of land of Thomas J. Diab et ux;

Thence S 78° 48' 30" E by said Diab land and by a wall five hundred thirty-four and 03/100 (534.03) feet to a drill hole in the wall at land of Reggio;

Thence S 12° 10' 30" W by wall and by land of said Reggio two hundred five and 30/100 (205.30) feet to a drill hole in the end of the wall at the northerly side of Route 2;

Thence N 74° 22' 34" W by the northerly side of said Route 2 four hundred sixty-four and 62/100 (464.62) feet to a line bound;

Thence northwesterly and northerly on a curve to the right having a radius of the ninety-four and 24/100 (94.24) feet, a distance of one hundred sixty-six and 13/100 (166.13) feet to a line bound in the easterly side of Route 110;

Thence northwesterly on a curve to the right having a radius of six hundred eighty-one and 52/100 (681.52) feet, a distance of fifty-two and 68/100 (52.68) feet to the point of beginning.

Containing 2.27 acres, more or less.

Being the parcel of land shown on plan S. 720 by Charles A. Perkins Co., Civil Engineers, Clinton, Mass., entitled "Land in Harvard, Mass., surveyed for Thomas J. Diab, September 1956" said plan being recorded with the Worcester District Registry of Deeds, Plan Book 219, Plan 95.

Said premises are conveyed subject to restrictions and easements of record, if any there be, insofar as the same are now in force and applicable; and to the zoning laws and building laws of the Town of Harvard.

For title to Grantor, see deed dated December 30, 2013, recorded with said Deeds in Book 51910, Page 171.

12 Lancaster County Road, LLC is not taxed as a corporation in the current taxable year for federal income tax purposes.

(Signature Page to follow)

IN WITNESS WHEREOF, the said 12 LANCASTER ROAD, LLC, has caused its corporate seal to be affixed hereto and these presents to be signed, acknowledged and delivered in its name and behalf by Thampy Kurian, its Manager, hereto duly authorized this 6th day of April, 2021.

12 LANCASTER ROAD, LLC

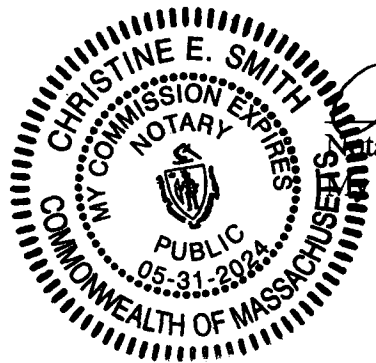
By: *Thampy Kurian*
Thampy Kurian, Manager

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

April 6, 2021

Then personally appeared before me, the undersigned notary public, personally appeared Thampy Kurian, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily, for its stated purpose, as Manager of 12 LANCASTER ROAD, LLC as aforesaid



Christine E. Smith
Notary Public
Commission Expires: 05-31-2024

5.0 Architectural Plans

GOSWICK EYE, HARVARD

184 AYER ROAD, HARVARD, MA 01451

ARCHITECT

ALEX MCMANUS AIA

11 HICKORY ROAD
SUDBURY, MA 01776

T. 561.445.9018
E. ALEX.MCMANUS.AIA@GMAIL.COM

SEAL

THIS DRAWING IS PROPERTY OF ALEX MCMANUS AIA
UNLESS OTHERWISE PROVIDED FOR BY CONTRACT.

TEAM

CONTRACTOR
FELTONVILLE BUILDING COMPANY
483 MAIN STREET
HUDSON, MA 01749



DRAWING SYMBOLS	
<p>DRAWING IDENTIFICATION</p> <p>DWG. NO. 1 FLOOR PLAN 1/4" = 1'-0" SCALE.</p> <p>DWG. TITLE DRAWING NORTH. TRUE NORTH.</p>	<p>ROOM LABEL</p> <p>CLOSET 10'0" x 11'-8" APPROX. ROOM DIMENSIONS OPTION.</p> <p>CLOSET 100 ROOM NUMBER OPTION.</p>
<p>SECTION MARK</p> <p>DWG. NO. A100 SECTION CUT LINE. SHEET NO. 1 MODIFIER/ADDED REQ. REFERENCE.</p> <p>CUT DIRECTION.</p>	<p>REVISION MARK</p> <p>REVISION NO. 10 APPROXIMATE LOCATION OF SPECIFIC REVISION TO DRAWING.</p> <p>OPTIONAL KEYNOTE REFERENCE TO REVISION.</p>
<p>DETAIL MARK</p> <p>DWG. NO. A100 GENERAL LIMIT OF DETAIL AREA.</p> <p>SHEET NO. 1 MODIFIER/ADDED REQ. REFERENCE.</p>	<p>WALL TYPE REFERENCE</p> <p>STEP/ALIGNMENT SYMBOL HT. OF STEP/ALIGNMENT.</p>
<p>INTERIOR ELEVATION MARK</p> <p>MODIFIER/ADDED REQ. REFERENCE</p> <p>SHEET NO. 1 DWG. NO. w/ DIRECTIONAL ARROW.</p>	<p>SLOPE/STAIR DIRECTION SYMBOL</p> <p>REFERENCE POINT.</p> <p>DIRECTION OF HORIZ. RUN.</p> <p>VERT. DIRECTION FROM REF. POINT (UP OR DOWN).</p>
<p>ELEVATION TARGETS</p> <p>ELEVATION DESCRIPTION.</p> <p>TO BEAM +12'-0"</p> <p>ELEVATION.</p> <p>TO W. +1'-0"</p> <p>TO W. +2'-0" AFF</p>	
<p>STRUCTURAL GRID REFERENCE</p> <p>GRID REFERENCE NO. OR LETTER.</p> <p>GRID LINE.</p>	
<p>WINDOW MARK</p> <p>DOOR MARK</p>	
<p>KEYNOTE MARK</p> <p>SPECIFIC NOTE/PRODUCT MARK</p>	

ABBREVIATIONS	
<p>NOT ALL ITEMS OR SYSTEM ABBREVIATIONS MAY BE USED OR LISTED IN THIS DOCUMENT. CONTACT ARCHITECT FOR CLARIFICATION WHEN IN DOUBT OF ANY TEXT.</p> <p>AC. AIR CONDITIONING ACH. AIR CHANGES PER HOUR AFF. ABOVE FINISHED FLOOR AHU. AIR HANDLING UNIT ALT. ALTERNATE AL., ALUM. ALUMINUM APPROX. APPROXIMATELY ARCH. ARCHITECT, ARCHITECTURAL BLDG. BUILDING B.M. BENCH MARK BM. BEAM B/. BOTTOM OF BRG. BEARING BTM. BOTTOM CAB. CABINET CC. CENTER TO CENTER CCSF. CLOSED-CELL SPRAY FOAM CD. CONSTRUCTION DOCUMENTS CJ. CONTROL JOINT CL. CENTER LINE CLO. CLOSET CLR. CLEAR/CLEARANCE CLG. CEILING CMU. CONCRETE MASONRY UNIT CO. CENTER OF COL. COLUMN CONC. CONCRETE CONSTR. CONSTRUCTION CONT. CONTINUOUS CONTR. CONTRACTOR CRS. COURSE CNTR. COUNTER CTR. CENTER DBL. DOUBLE DEMO. DEMOLITION, DEMOLISH DET., DTL. DETAIL DIA. DIAMETER DIM. DIMENSION DN. DOWN, DRAWING NORTH DO. DOOR OPENING DOWNSPOUT DW. DISHWASHER DWG. DRAWINGS DWR. DRAWER E. EAST EA. EACH ELEV. ELEVATION ELEC. ELECTRICAL EJ. EXPANSION JOINT EQ. EQUAL EQUIPMENT EQUIP. EQUIPMENT EWH. ELECTRIC WATER HEATER EX., EXIST. EXISTING EXP. EXPANSION EXT. EXTERIOR FD. FLOOR DRAIN FDN. FOUNDATION FE. FIRE EXTINGUISHER FIN. FINISH, FINISHED FLR. FLOOR FLUOR. FLUORESCENT F.O. FACE OF FPHB. FROST-PROOF HOSE BIBB FR. FIRE-RATED</p>	<p>FT. FOOT/FEET FTG. FOOTING FURN. FURNISHINGS, FURNITURE GA. GAUGE GALV. GALVANIZED GC. GENERAL CONTRACTOR GEN. GENERAL GFRC. GLASS-FIBER REINFORCED CONCRETE GFRG. GLASS-FIBER REINFORCED GYPSUM GL. GLASS/GLAZING GB., G.B. GYPSUM BOARD GWH. GAS WATER HEATER GYP. GYPSUM H. HOSE BIBB HC. HANDICAPPED, HOLLOW CORE HW., HDW. HARDWARE HDR. HEADER HDWD. HARDWOOD HM. HOLLOW METAL HORIZ. HORIZONTAL H.P. HIGH POINT HR. HOUR HTG. HEATING HVAC. HEATING, VENTILATION, AIR CONDITIONING ID. INSIDE DIAMETER IN. INCH, INCHES INFO. INFORMATION INSUL. INSULATION, INSULATING INT. INTERIOR J.S. JACK STUD JST. JOIST JT. JOINT LAV. LAVATORY LB. POUND LG. LONG LIN. LINEAR LLH. LONG LEG HORIZONTAL LLV. LONG LEG VERTICAL L.P. LOW POINT LT. LIGHT M. METER MAS. MASONRY MAX. MAXIMUM MECH. MECHANICAL MEP. MECHANICAL, ELECTRICAL, PLUMBING MFR. MANUFACTURER MH. MAN-HOLE MIC. MICROWAVE MIN. MINIMUM MISC. MISCELLANEOUS MO. MASONRY OPENING MR. MOISTURE RESISTANT MTD. MOUNTED MTR. METAL MULL. MULLION N. NORTH NA. NOT APPLICABLE NFPA. NATIONAL FIRE PROTECTION ASSOCIATION NGVD. NATIONAL GEODETIC VERTICAL DATUM NIC. NOT IN CONTACT NO. NUMBER NOM. NOMINAL NTS. NOT TO SCALE OA. OVERALL OC. ON CENTER OCCSF. OPEN-CELL SPRAY FOAM OD. OUTSIDE DIAMETER OH. OVER-HEAD OPP. OPPOSITE</p>

BUILDING + PROJECT DATA							
<p>1. PROJECT DESCRIPTION: LOCATED ON NORTHEAST CORNER OF AYER ROAD AND ROUTE 2 (FOLLOWING THE CONTOUR OF THE NORTHBOUND EXIT RAMP), ON A ROUGHLY 180x550' LOT. THE PROJECT CONSISTS OF AN EXISTING BUILDING, WITH ONE PORTION BEING A 2-STORY (POSSIBLY A 1800s HOME), AND ANOTHER BEING A 1980s 1-STORY CONNECTED OUT-BUILDING. THE FOUNDATION IS STONE, WITH NEVER PORTION CMU. BLOCK, WITH ALL LEVELS ABOVE GRADE BEING TYPE SB WOOD FRAME CONSTRUCTION.</p> <p>EXISTING USE: APARTMENT (R-2); 2 BEDROOMS BUSINESS 1. REAL ESTATE OFFICE BUSINESS 2. TAX + ACCOUNTING OFFICE.</p> <p>PROPOSED USE: APARTMENT (R-2); 2 BEDROOMS - NO CHANGE IN USE. BUSINESS. OPTOMETRY OFFICE - NO CHANGE IN USE.</p> <p>EXISTING GROUND-FLOOR BUSINESS 2 AREA ALTERED FOR OPTOMETRY OFFICE, WHILE CREATING A SEPARATED SINGLE APARTMENT UNIT IN THE REMAINDER OF THE EXISTING BUILDING. BUSINESS 1 RETURNS TO ORIGINAL RESIDENTIAL USE. THE APARTMENT AREA SHALL REMAIN AS EXISTING, AND FULLY SEPARATED FROM THE ADJACENT BUSINESS BY A 2-HR. WALL ASSEMBLY.</p> <p>ACCESS FROM EXISTING PARKING LOT TO NEW FRONT ENTRY SHALL BE IN FULL CONFORMANCE WITH 521-CMR (ARCHITECTURAL ACCESS BOARD) ACCESSIBILITY REQUIREMENTS. ACCESS TO BUSINESS THROUGH SINGLE ENTRY POINT, VIA NEW WALKWAY TO REPLACE THE EXISTING IN DISREPAIR AND NON-ACCESSIBLE. SERVICE ENTRY TO BUSINESS TO REMAIN (WITH IMPROVED GUARD AND HANDRAIL. ACCESS THROUGH THE PUBLIC AREAS OF THE BUSINESS TO BE FULLY ACCESSIBLE, INCLUDING NEW EXAM ROOMS AND NEW RESTROOM (EXISTING NON-ACCESSIBLE RESTROOM TO BE ALTERED TO COMPLY). SINGLE RESIDENTIAL UNIT DOES NOT FALL WITHIN 521-CMR JURISDICTION, AND THEREFORE ACCESSIBILITY IMPROVEMENTS ARE NOT REQUIRED.</p> <p>OTHER THAN GENERAL INTERIOR ALTERATIONS TO BUSINESS AREA AND EXTERIOR ACCESSIBILITY IMPROVEMENT, SCOPE INCLUDES MINOR ALTERING OF EXISTING EXTERIOR WINDOWS, REPLACEMENT OF EXISTING ENTRY GUARDS AT REAR OF BUILDING.</p> <p>PER THE IEBC, PRESCRIPTIVE COMPLIANCE METHOD SECTION 403.1, ALTERATIONS SHALL BE SUCH THAT THE EXISTING BUILDING IS NO LESS CONFORMING TO THE PROVISIONS OF THE IBC, THAN THE EXISTING BUILDING OR STRUCTURE WAS PRIOR TO THE ALTERATION.</p> <p>BUILDING IMPROVEMENTS LESS THAN 50% BUILDING AREA, AND COST OF BUILDING IMPROVEMENTS ESTIMATED TO BE LESS THAN 50% OF ASSESSED BUILDING VALUE.</p>	<p>3. AREA CALCULATIONS (EXTERIOR OF EXTERIOR WALLS):</p> <p>LEVELS:</p> <table border="1"> <tr> <td>2ND</td> <td>733 SF</td> </tr> <tr> <td>1ST</td> <td>2,562 SF</td> </tr> <tr> <td>TOTAL</td> <td>3,295 SF</td> </tr> </table> <p>BASEMENT 867 SF - NO OCCUPANCY.</p> <p>TOTAL 4,162 SF</p> <p>4. USE: NO CHANGE IN USES (EXISTING TO REMAIN). B BUSINESS (EXISTING). R-2 SINGLE RES. APARTMENT UNIT (EXISTING).</p> <p>5. OCCUPANCY LOAD: BUSINESS 1,500 SF x 1/100 GROSS = 15.0 = 15 OCCUPANTS. RESIDENTIAL 1,795 SF x 1/200 GROSS = 8.9 = 9 OCCUPANTS. TOTAL OCCUPANCY (ALL LEVELS): 24 OCCUPANTS.</p> <p>OCCUPANCY PER TENANT: BUSINESS: 15 OCCUPANTS. RESIDENCE: 9 OCCUPANTS.</p> <p>6. CONSTRUCTION TYPE: SB UNPROTECTED (EXISTING).</p> <p>7. FIRE PROTECTION: NO SPRINKLER PROTECTION REQUIRED OR PROVIDED. NEW INTERCONNECTED FIRE ALARM PROVIDED, INCLUDING BUT NOT LIMITED TO: PULL BOXES, EMERGENCY LIGHTING, AUDIO/VISUAL STROBES, EXIT SIGNS, AND FIRE EXTINGUISHERS. RESISTANCE RATING: PER IBC T602: EXT. WALLS ARE GREATER THAN 10' FROM PROPERTY LINE THEREFORE 0-HOUR RATING IS REQUIRED AT ALL EXTERIOR WALLS FOR 'R' AND 'B' USES (EXISTING). CONTINUOUS 2-HR FIRE SEPARATION TO BE PROVIDED BETWEEN ADJACENT 'R' AND 'B' USES.</p> <p>8. MAXIMUM COMMON EGRESS TRAVEL DISTANCE (T1006.2.1): OCCUP. LOAD 30 OR LESS (NO SPRINKLER) = 100' MAX. DISTANCE PROPOSED = 59'</p>	2ND	733 SF	1ST	2,562 SF	TOTAL	3,295 SF
2ND	733 SF						
1ST	2,562 SF						
TOTAL	3,295 SF						
<p>2. BUILDING CODES REFERENCED: INTERNATIONAL BUILDING CODE (IBC.) 2015. INTERNATIONAL EXISTING BUILDING CODE (IEBC.) 2015. 780-CMR - MA STATE BUILDING CODE, 9TH ED. 527-CMR-12 - MA ELECTRICAL CODE 521-CMR - ARCHITECTURAL ACCESS BOARD (AAB). 248-CMR-10 - UNIFORM STATE PLUMBING CODE.</p>							

SHEET INDEX	
G100	BUILDING + PROJECT DATA + DWG. STANDARDS
A111	FLOOR PLAN + ARCH. SITE PLAN.
A121	LIFE-SAFETY + ACCESSIBILITY FLOOR PLAN.
A200	EXTERIOR ELEVATIONS.
A210	WINDOW, DOOR + HARDWARE SCHEDULES, WALL TYPES + FINISH SCHEDULE.
E110	ELECTRICAL PLAN.
END	BACK COVER SHEET - BLANK.

PROJECT NAME	
GOSWICK EYE HARVARD	
INTERIOR + EXTERIOR COMMERCIAL ALTERATION	
CLIENT EMILY + CHRIS GOSWICK GOSWICK EYE 345 MAIN STREET NORTHBOROUGH, MA 01532	
PROJECT ADDRESS 184 AYER ROAD HARVARD, MA 01451	
PROJECT NUMBER 20006	
DRAWN BY / CHECKED BY AGM / AGM	
ISSUE DATE 10.15.2021	
PHASE 95% C.D. SET V2 PERMIT SET FOR CONSTRUCTION	
REVISIONS -	
SHEET TITLE COVER SHEET BUILDING + PROJECT DATA DRAWING STANDARDS	
SHEET G100	

PLUMBING FIXTURE SCHEDULE						
MARK	QUAN.	TYPE	MANUF.	SERIES/MODEL	FINISH	REMARKS
P.1	1	WALL-MNTD. SINK	-	-	-	ACCESSIBLE TYPE REQ.
P.2	1	FAUCET	-	-	-	ACCESSIBLE TYPE REQ.
P.3	1	TOILET	-	-	-	ACCESSIBLE TYPE REQ.
P.4	1	WALL-MNTD. SINK	-	-	-	-
P.5	1	FAUCET	-	-	-	-
P.6	1	HAND SINK	-	-	-	-
P.7	1	FAUCET	-	-	-	-
P.8	1	SERVICE SINK	-	-	-	-
P.9	1	SERVICE FAUCET	-	-	-	-
P.10	1	KITCHEN SINK	-	-	-	-
P.11	1	KITCHEN FAUCET	-	-	-	-

1. ALL PLUMBING FIXTURES TBD. BY OWNER. OWNER TO DETERMINE OTHER ACCESSORIES SUCH AS T.P. HOLDERS, MIRRORS, HOOKS, SOAP DISPENSERS, TOWEL /PAPER TOWEL HOLDERS, ECT. ALL ACCESSORIES SHALL BE IN CONFORMANCE W/ 521-CMR, SECTIONS 30.7 - 30.13.

2. ALL FIXTURES, FITTINGS, AND ROUGH-IN COMPONENTS SHALL BE INSTALLED PER MANUFACTURER REQUIREMENTS AND INSTRUCTIONS. CONTRACTOR TO PROVIDE AND COORD. ALL REQUIRED ACCESSORY COMPONENTS FOR PROPER INSTALLATION AND OPERATION.

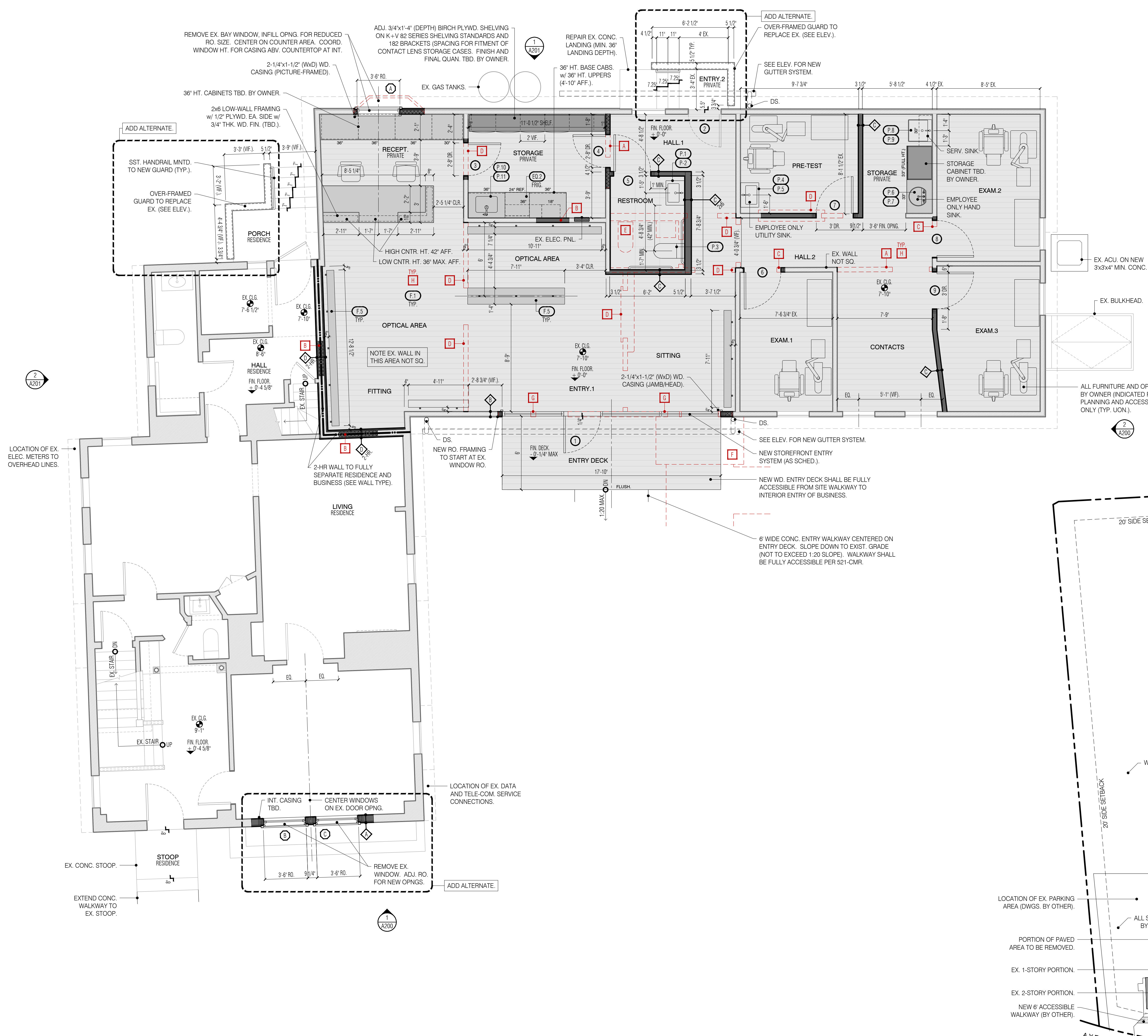
3. RESTROOM VENT FAN: SEE EQUIPMENT SCHEDULE.

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THIS DRAWING IS PROPERTY OF ALEX MCMANUS AIA
UNLESS OTHERWISE PROVIDED FOR BY CONTRACT.

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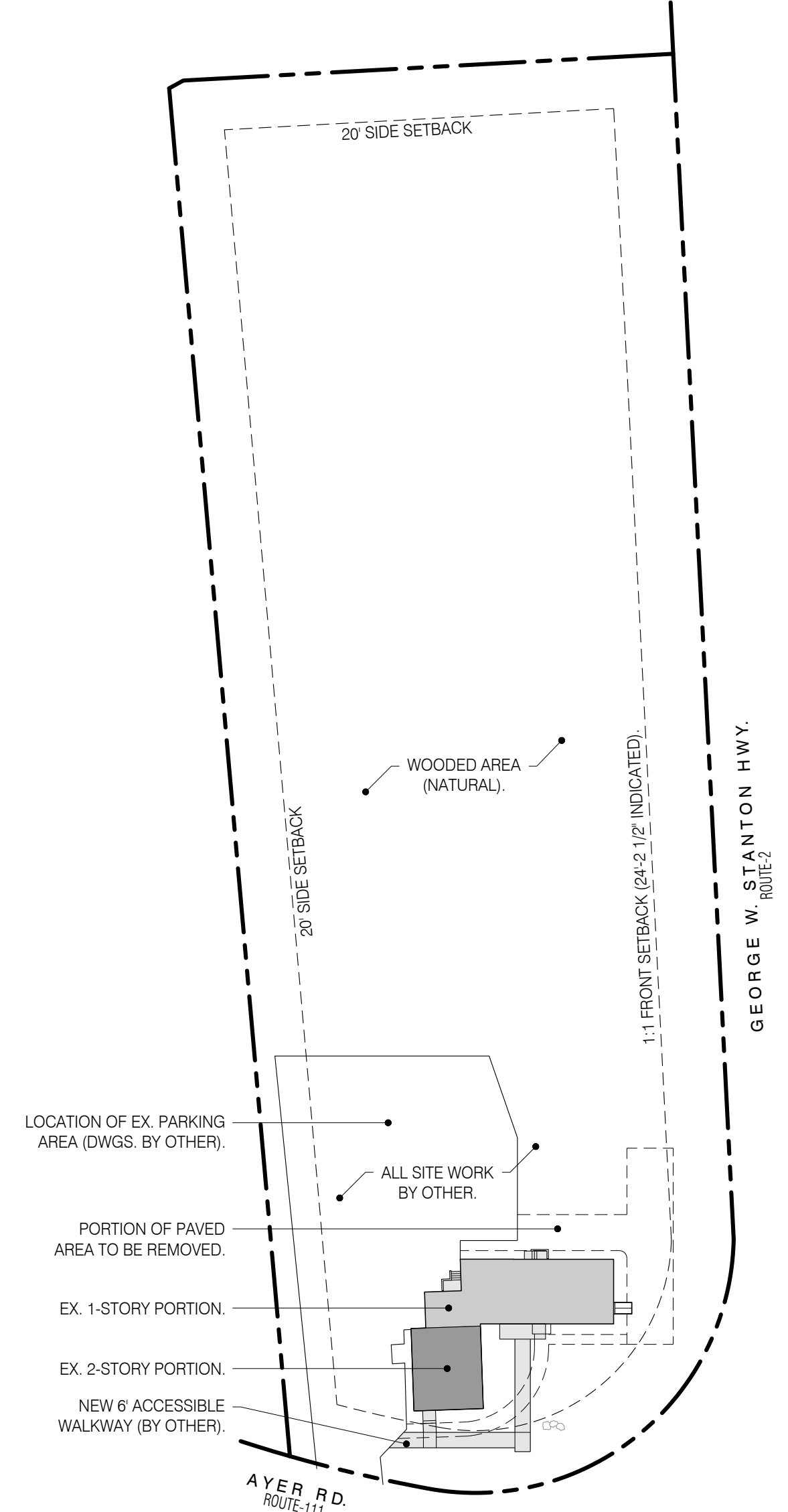
- ### PLUMBING NOTES
- PLUMBING AND WATER HEATING SYSTEM SHALL BE DESIGN BUILT FOR ELEMENTS NOT SPECIFICALLY IDENTIFIED IN THE DRAWINGS. CONTRACTOR SHALL SIZE AND INSTALL ALL NECESSARY PIPING, FIXTURES, AND EQUIPMENT ACCORDING TO CURRENT CODES, AND SUBMIT NECESSARY SHOP DRAWINGS FOR ARCHITECT REVIEW PRIOR TO START OF CONSTRUCTION.
 - ALL ALTERED WASTE WATER DISTRIBUTION SHALL BE CAST IRON ABOVE GRADE AND/OR WITHIN WALL/FLOOR CAVITIES.
 - PROVIDE ARMACELL AP ARMAFLEX PIPE INSULATION AND ARMAFLEX LAP SEAL TAPE ON ALL HOT AND COLD WATER PIPING.
 - VERIFY REQUIRED ADEQUATE CLEARANCES FOR MECHANICAL EXHAUST AND PLUMBING COMPONENTS AND ROUTING.
 - NEW RESTROOM PLUMBING FIXTURES AND RESTROOM LAYOUT SHALL BE FULLY ACCESSIBLE AND COMPLY W/ REQUIREMENTS OF 521-CMR, SECTION 30. REFER TO ACCESSIBILITY PLAN FOR ADDITIONAL REQUIREMENTS.

- ### GENERAL PLAN NOTES
- INTERIOR WALLS ARE DIMENSIONED TO FACE OF STUD (REFERENCE WALL TYPES FOR STUD DIMENSION WHERE NOT INDICATED ON PLAN). EXISTING WALLS ARE DIMENSIONED TO FACE OF EXISTING FINISHES. WINDOWS ARE DIMENSIONED TO CENTERLINE OR EDGE OF RO. UON. DOORS ARE DIMENSIONED TO CENTERLINE OR EDGE OF NOMINAL DOOR LEAF, UON.
 - ALL WORK SHALL CONFORM W/ 521-CMR ARCHITECTURAL ACCESS BOARD ACCESSIBILITY REQUIREMENTS. SEE ACCESSIBILITY PLAN FOR ADDITIONAL REQ.
 - VERIFY REQUIRED ADEQUATE CLEARANCES FOR MECHANICAL AND PLUMBING COMPONENTS AND ROUTING.
 - REFER TO ELEVATIONS, DETAILS, AND SCHEDULES FOR WINDOW AND DOOR TYPES, SIZES, HARDWARE, AND SPECIAL INSTRUCTIONS.

LEGEND

NEW WALL/PARTITION.	
NEW LOAD-BEARING WALL.	
2-HOUR FIRE-RATED WALL.	
EXISTING WALL.	
WORK TO BE DEMOLISHED.	

- ### DEMOLITION NOTES
- THE FOLLOWING REFER TO DEMOLITION KEYNOTES ON FLOOR PLAN (KEYNOTES IDENTIFY LARGE SCOPE ELEMENTS, BUT MAY NOT ENCOMPASS ALL ASPECTS OF THE WORK REQUIRED FOR THE ALTERATIONS. REVIEW ALL DRAWINGS FOR COMPLETE SCOPE OF WORK REQUIRED):
 - REMOVE PORTION OF EXISTING WALL/PARTITION. CONFIRM WHETHER FRAMING IS LOAD-BEARING PRIOR TO REMOVAL OF ANY FRAMING MEMBERS. SUPPLEMENT FRAMING W/ POSTS AND HEADER AS REQUIRED IF FOUND TO BE LOAD-BEARING.
 - REMOVE EXISTING DOOR, FRAME, AND CASING. ENLARGE RO. FOR 36" ACCESSIBLE DOOR OPNG. AND PATCH TO MATCH ADJ. WALL FINISH.
 - REMOVE PORTION OF PARTITIONS/WALLS AS INDICATED IN THIS AREA.
 - REMOVE PORTIONS OF WALLS (AS INDICATED) PLUMBING FIXTURES, ROUGH PLUMBING COMPONENTS, AND REROUTE AS REQUIRED FOR ACCESSIBLE RESTROOM LAYOUT.
 - REMOVE ENTIRE WOOD DECK, RAILINGS, AND BRICK PAVER WALKWAY.
 - REMOVE TWO WINDOWS, ENTRY DOOR, AND PORTION OF WALL FOR NEW STOREFRONT OPNG. SUPPLEMENT FRAMING W/ POSTS AND HEADER AS REQUIRED. ENGINEERING OF FRAMED OPNG. BY CONTRACTOR.
 - REMOVE CARPET AND PREPARE SUBFLOOR FOR NEW FLOORING TBD. BY OWNER.



1 FLOOR PLAN
1/4"=1'-0"

2 ARCH. SITE PLAN
1"=50'

PROJECT NAME
GOSWICK EYE HARVARD

INTERIOR + EXTERIOR COMMERCIAL ALTERATION

CLIENT
EMILY + CHRIS GOSWICK
GOSWICK EYE
345 MAIN STREET
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PROJECT ADDRESS
184 AYER ROAD
HARVARD, MA 01451

PROJECT NUMBER
20006

DRAWN BY / CHECKED BY
AGM / AGM

ISSUE DATE
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PHASE
95% C.D. SET V2
PERMIT SET
FOR CONSTRUCTION

REVISIONS

SHEET TITLE
FLOOR PLAN
ARCHITECTURAL SITE PLAN

SHEET
A111



GEN. LIFE SAFETY NOTES

- INTERCONNECTED FIRE ALARM SYSTEM TO BE DESIGN BUILT BY CONTRACTOR. CONTRACTOR TO SUBMIT ENG. SHOP DWGS. FOR REVIEW BY LOCAL FIRE DEPARTMENT OFFICIAL AND BLDG. OFFICIAL.
- PROVIDE EMERGENCY EGRESS LIGHTING, ILLUMINATED EXIT LOCATORS, WALL-MOUNTED FIRE EXTINGUISHERS, SMOKE/HEAT/CARBON SENSORS, AND AUDIO/VISUAL STROBES AS REQUIRED.
- TRAVEL DISTANCE ON ARCHITECTURAL FLOOR PLAN INDICATES LONGEST EGRESS ROUTE, PER IBC, TABLE 1006.2.1. ROUTE NOT TO EXCEED 100' WITHOUT SPRINKLERS w/ OCCUPANCY LOADS 30 OR LESS.

GENERAL NOTES:
1. ALL COLORS AND FINISH OPTIONS TBD. BY OWNER.

FIRE SAFETY LEGEND

EXIT LOCATOR	
AUDIO/VISUAL ALARM	
EMERGENCY LIGHTING	
WALL-MNTD. FIRE EXTINGUISHER	
FIRE ALARM PULL BOX	

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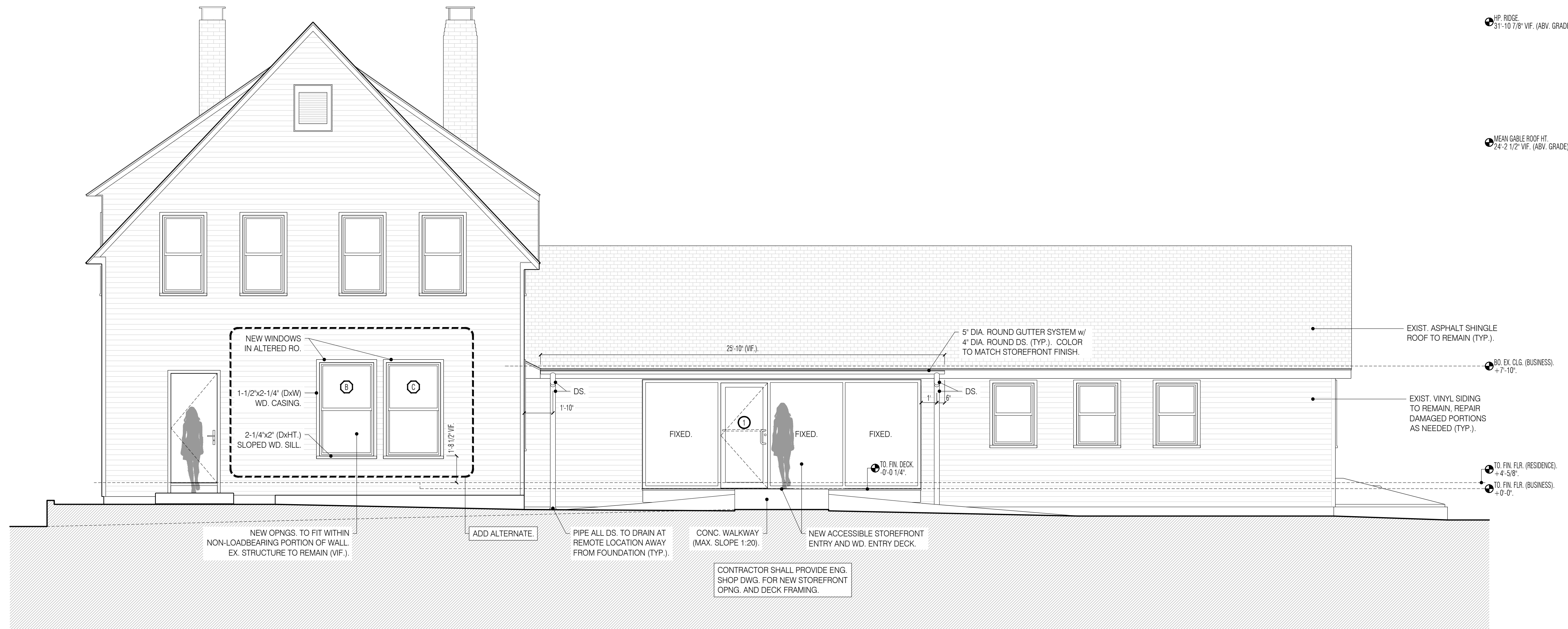
PHASE
95% C.D. SET V2
PERMIT SET
FOR CONSTRUCTION

REVISIONS

1 LIFE-SAFETY + ACCESSIBILITY PLAN
1/4" = 1'-0"

SHEET TITLE
LIFE-SAFETY + ACCESSIBILITY PLAN

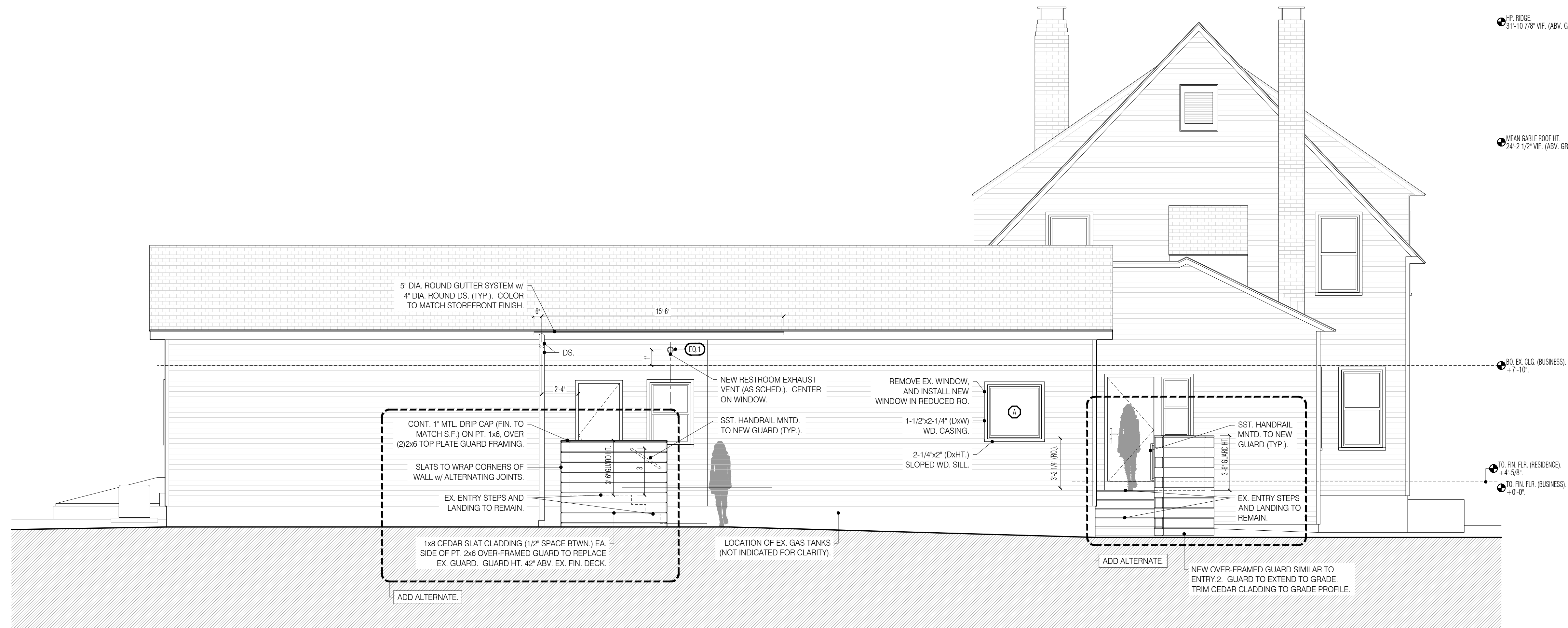
SHEET
A121



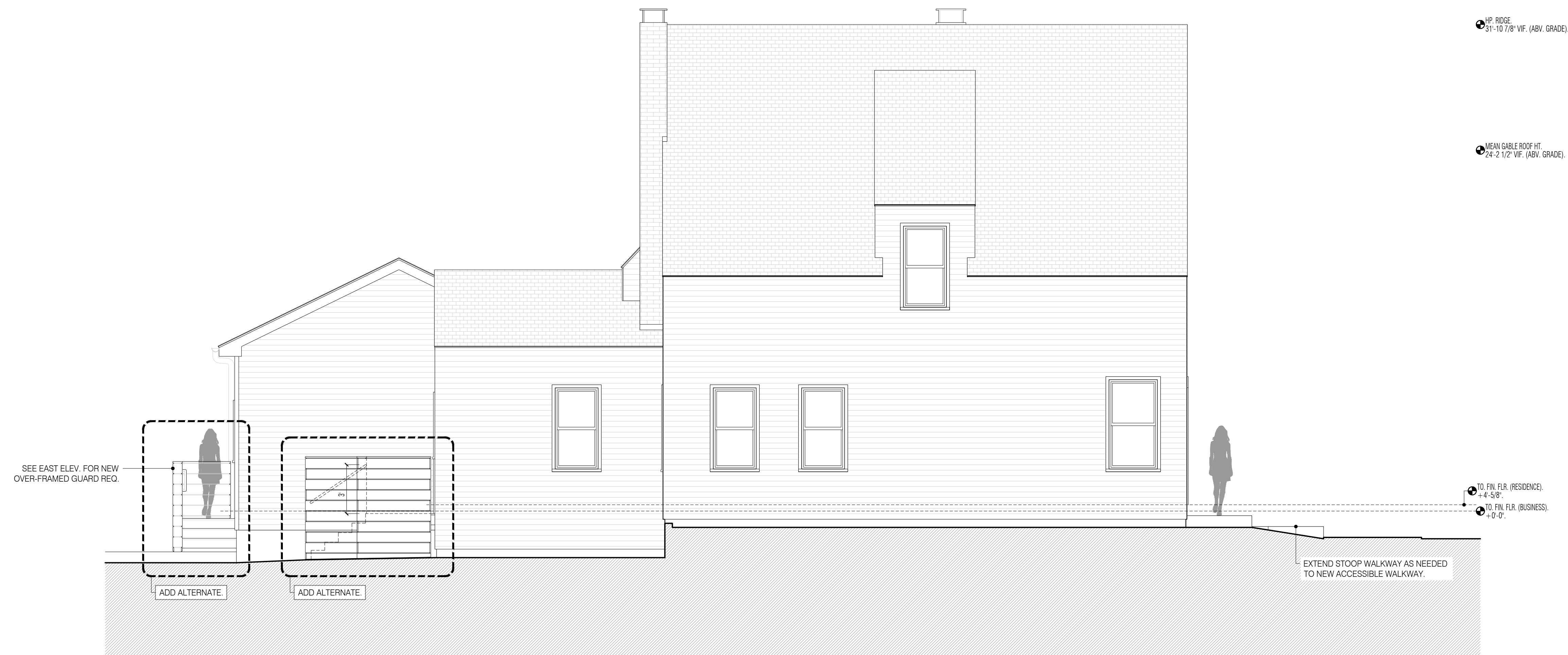
1 WEST ELEVATION
1/4" = 1'-0"



2 SOUTH ELEVATION
1/4" = 1'-0"



1 EAST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/4" = 1'-0"

WINDOW SCHEDULE										
MARK	UNIT W x H	TYPE	MANUF.	SERIES	MATERIAL	GLAZING	EXT. FINISH	INT. FINISH	HDW	REMARKS
A	41 1/2" x 41 1/2"	PICTURE	MARVIN	ESSENTIAL	ULTRIX	CLEAR	TBD.	TBD.	-	NEW UNIT IN REDUCED RO. SEE PLAN AND ELEV. FOR CASING REQ.
B	41 1/2" x 71 1/2"	D.HUNG	MARVIN	ESSENTIAL	ULTRIX	CLEAR	TBD.	TBD.	-	NEW UNIT IN ALTERED RO. SEE ELEV. FOR EXT. CASING REQ. (INT. TBD.).
C	41 1/2" x 71 1/2"	D.HUNG	MARVIN	ESSENTIAL	ULTRIX	CLEAR	TBD.	TBD.	-	NEW UNIT IN ALTERED RO. SEE ELEV. FOR EXT. CASING REQ. (INT. TBD.).

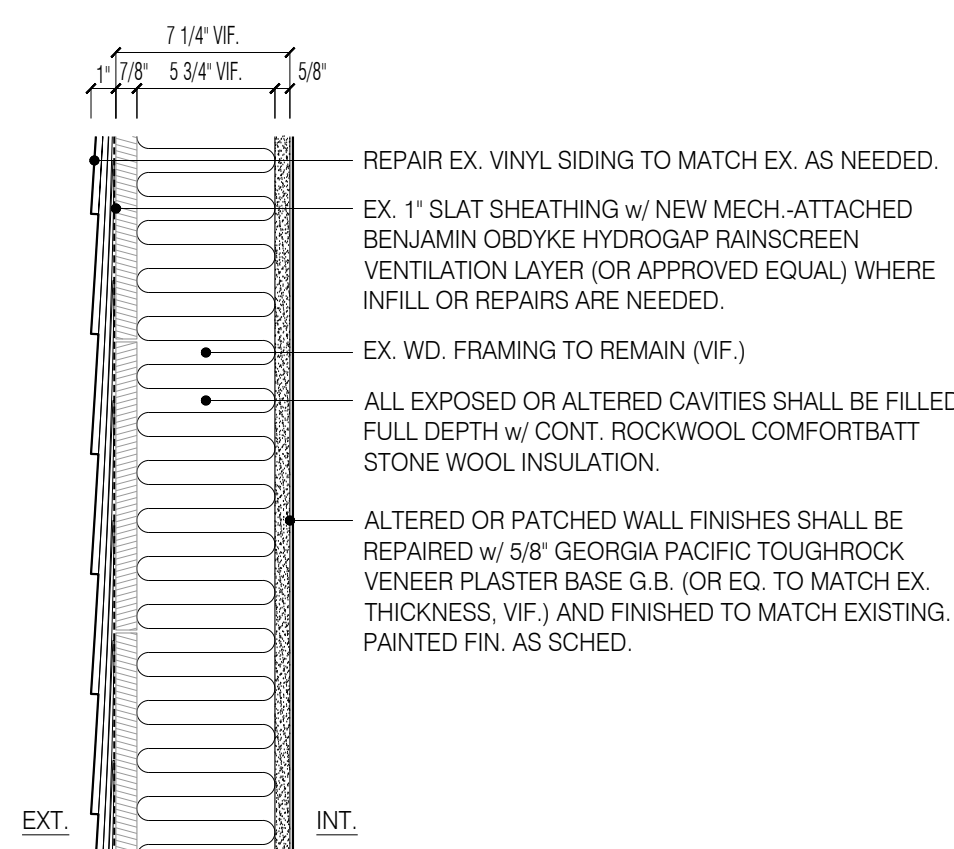
- ALL EXISTING OPENING AND FRAME SIZES SHALL BE FIELD VERIFIED PRIOR TO PURCHASING. COORDINATE AND VERIFY WINDOW RO. SIZE FOR UNIT SIZES AS SCHEDULED. INSTALL ALL WINDOWS PER MANUFACTURER INSTRUCTIONS AND REQUIREMENTS.
- ALL UNITS WITHIN WOOD FRAMED OPENINGS SHALL BE "FLANGED" OR "NAILING FIN" TYPE, UON.
- ALL EXISTING ROUGH OPENINGS TO RECEIVE NEW UNITS SHALL RECEIVE ALL NEW FLASHING COMPONENTS PER MANUFACTURER REQUIREMENTS.
- SUBMIT SHOP DRAWINGS FOR ALL WINDOW AND WINDOW HARDWARE FOR ARCHITECT APPROVAL PRIOR TO PURCHASING. WINDOW MANUF. AND TYPE SHALL BE AS SPECIFIED, OR APPROVED EQUAL (TBD. BY ARCHITECT).

DOOR + STOREFRONT SCHEDULE													
MARK	TYPE	DOOR				FRAME				HDW	RATING	REMARKS	
		MANUF.	SERIES	WIDTH	HGT.	THICK.	EXT./INT. FINISH	MANUF.	SERIES				EXT./INT. FINISH
1	STOREFRONT ENTRY	KAWNEER	250T	RO. 214'	RO. 84"	-	CLR. ANODIZED	KAWNEER	TRIFAB-VG 451T	CLR. ANODIZED	1	-	NEW ACCESSIBLE STOREFRONT ENTRY. SEE ELEV. LAYOUT.
2	ENTRY - SWING	EXIST.	-	32"	80"	1 3/4"	PTD. MTL.	EXIST.	-	PTD. WD.	-	-	EX. DOOR TO REMAIN. ADJUST/REPLACE EX. HDW. AS REQ.
3	SWING (INT.)	TBD.	TBD.	32"	84"	1 3/4"	PTD. WD.	TBD.	TBD.	-	4	-	SEE TRIM SCHED. FOR CASING REQ.
4		TBD.	TBD.	32"	84"	1 3/4"		TBD.	TBD.		4	-	
5		TBD.	TBD.	36"	84"	1 3/4"		TBD.	TBD.		2	-	
6		TBD.	TBD.	36"	84"	1 3/4"		TBD.	TBD.		3	-	
7		TBD.	TBD.	36"	84"	1 3/4"		TBD.	TBD.		3	-	
8		TBD.	TBD.	36"	84"	1 3/4"		TBD.	TBD.		3	-	
9		TBD.	TBD.	36"	84"	1 3/4"		TBD.	TBD.		3	-	

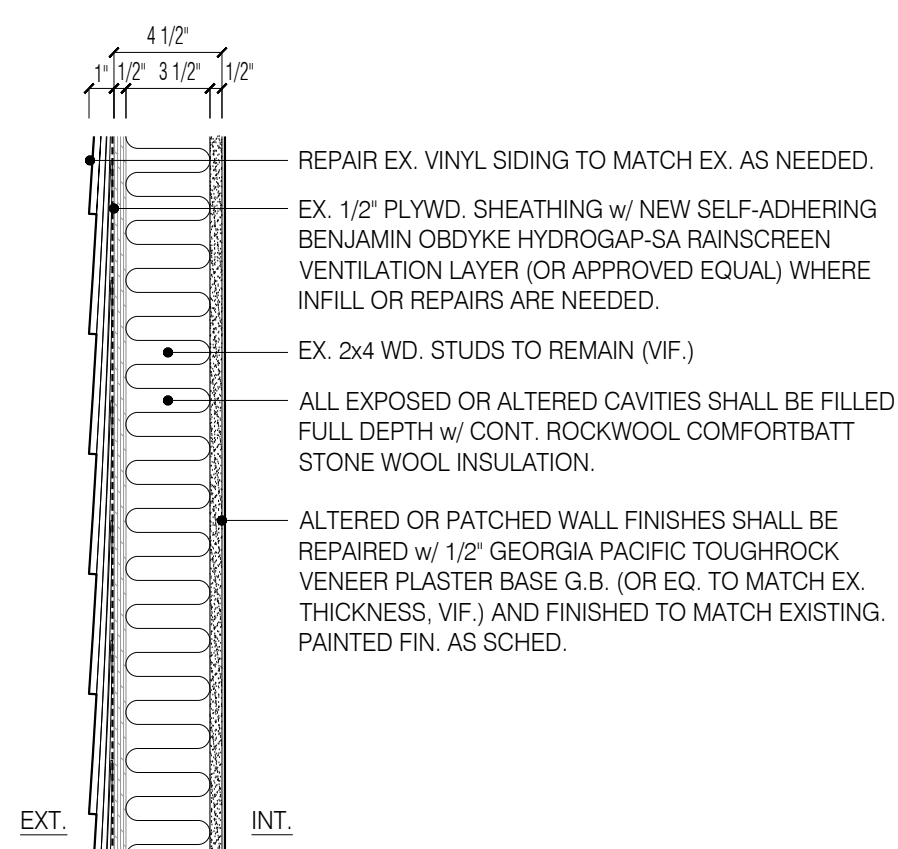
- STOREFRONT SYSTEM AND DOOR LEAF BY KAWNEER, TRIFAB-VG 451T w/ 250T INSULPOUR THERMAL DOOR SYSTEM. STOREFRONT GLAZING SHALL BE TEMPERED GLASS. ALL STOREFRONT HARDWARE SHALL MATCH ALUM. FINISH.
- ALL INTERIOR DOORS ARE SOLID-CORE FLUSH-PANEL, UON.
- REFER TO HARDWARE SCHEDULE FOR ALL HARDWARE SPECIFICATIONS, AND COORDINATE w/ ALL DOOR AND HARDWARE MANUFACTURER REQUIREMENTS. ALL EXTERIOR DOORS, OR DOORS LEADING TO UNCONDITIONED SPACE, SHALL HAVE CONT. INSULATING/WEATHERPROOFING SEALS.
- INSTALL ALL DOORS PER MANUFACTURER INSTRUCTIONS AND REQUIREMENTS.
- ALL DOOR GLAZING SHALL BE INSULATED AND TEMPERED. WOOD DOORS TO UNCONDITIONED SPACE SHALL HAVE INSULATED CORE.
- SUBMIT SHOP DRAWINGS FOR ALL DOORS AND DOOR HARDWARE FOR ARCHITECT APPROVAL PRIOR TO PURCHASING. ALL ROUGH OPENINGS SHALL BE FIELD VERIFIED PRIOR TO PURCHASING.

HARDWARE SCHEDULE			GENERAL HARDWARE NOTES	
SET NO.	FUNCTION	HARDWARE SET ITEMS		
1	ENTRY - STOREFRONT	1 - 4.	<ol style="list-style-type: none"> ANY HARDWARE NOT SPECIFICALLY LISTED, OR REQUIRED BY MANUF. FOR OPERATION SHALL BE IDENTIFIED BY CONTRACTOR, AND SUBMITTED FOR APPROVAL. INTERIOR DOORS SHALL NOT HAVE CLOSERS UNLESS SPECIFICALLY NOTED, IF CLOSERS ARE ADDED ADDITIONAL ACCESSIBILITY MANEUVERING CLEARANCE AT DOOR MAY BE REQUIRED PER 521-CMR, 26.6. ALL SWING DOORS SHALL HAVE A MINIMUM OF THREE HINGES, UON. 	
2	SWING - RESTROOM	2 - 3 - 5 - 6 - 8 - 10.		
3	SWING - PASSAGE	2 - 3 - 7 - 10.		
4	SWING - KEYED STORAGE	2 - 3 - 9 - 10.		
5	-	-		
6	-	-		
7	-	-		
8	-	-		
9	-	-		
10	-	-		

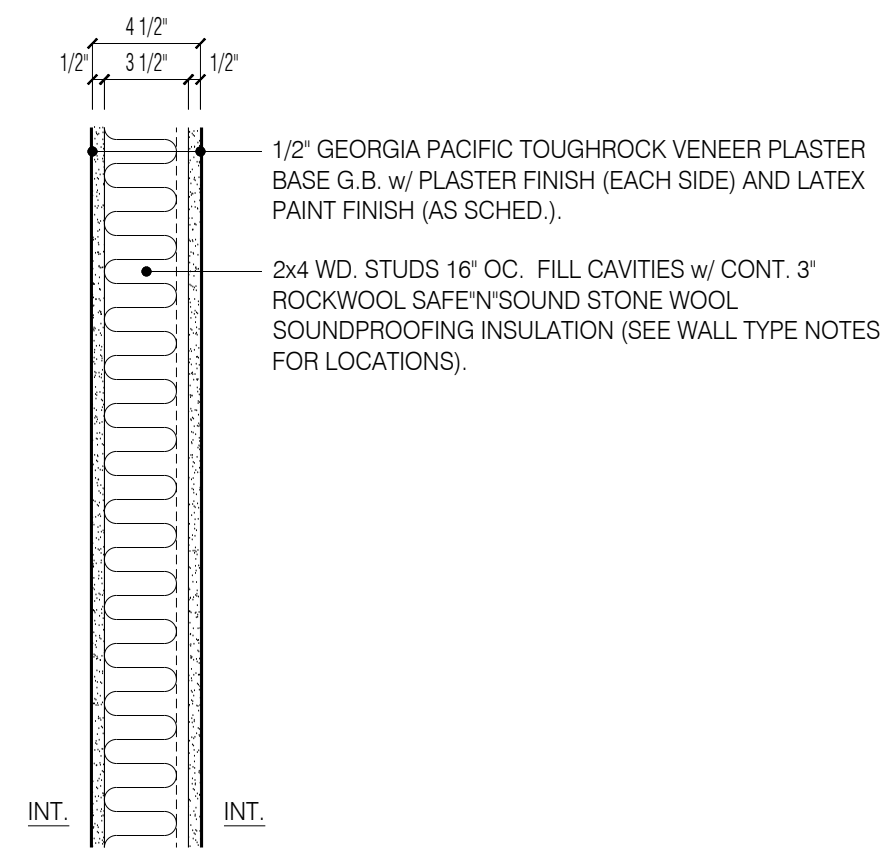
- HARDWARE ITEMS
- STOREFRONT ENTRY SET - BRUSHED ALUM. FIXED OFFSET PULL BY KAWNEER (EXT. SIDE), w/ HORIZONTAL FIXED PUSH BAR BY KAWNEER (INT. SIDE). KEYED EXTERIOR, THUMBTURN INTERIOR DEADBOLT LOCK PER KAWNEER REQ. CONCEALED CLOSER PER KAWNEER REQ. AND SHALL FULLY COMPLY w/ 521-CMR ACCESSIBILITY REQ. HEAVY-DUTY BALL BEARING HINGES AND QUANTITY PER KAWNEER REQ. WEATHERSTRIPPING/SEALS/GASKETING/COVERS PER MANUF. REQ. ALL FINISHES TO MATCH STOREFRONT SYSTEM FINISH. DOOR SHALL NOT LATCH UNLESS WHEN LOCKED.
 - STRIKE - AS REQ. (FINISH: STAINLESS STEEL), w/ DUST BOX (FINISH: TO MATCH STRIKE, OR BLACK).
 - HINGE - EMTEK, HEAVY DUTY BALL-BEARING, SQUARE CORNER, (MIN. 3 PER DOOR LEAF). FINISH: STAINLESS STEEL.
 - WEATHER STRIPPING - PER DOOR/FRAME MANUF. REQ.
 - ACOUSTIC/WEATHER STRIPPING - PEMKO S88. FINISH: TO MATCH APPROXIMATE JAMB COLOR (GRAY, BLACK, OR WHITE). SUBMIT COLORS FOR ARCHITECT APPROVAL.
 - AUTOMATIC DOOR BOTTOM (SEAL) - PEMKO 411ASL. FINISH: MILL ALUM. w/ BLACK SPONGE SILICONE INSERT.
 - LEVER SET, PASSAGE - EMTEK, STUTTGART LEVER w/ DISK ROSETTE. FINISH: SATIN NICKEL (US15). CONCEALED FASTENER INSTALLATION KIT PREFERRED.
 - LEVER SET, PRIVACY - EMTEK, STUTTGART LEVER w/ DISK ROSETTE AND MATCHING KEYED DEADBOLT (EXT. SIDE) w/ THUMBTURN (INT. SIDE). FINISH: SATIN NICKEL (US15). CONCEALED FASTENER INSTALLATION KIT PREFERRED.
 - LEVER SET, SECURITY - EMTEK, STUTTGART LEVER w/ DISK ROSETTE AND MATCHING KEYED DEADBOLT (EXT. SIDE) w/ THUMBTURN (INT. SIDE). FINISH: SATIN NICKEL (US15). CONCEALED FASTENER INSTALLATION KIT PREFERRED.
 - BUMPER STOP - EMTEK, EXTENDABLE DOOR BUMPER #2233. FINISH: SATIN NICKEL/BLACK RUBBER.



A TYP. EXT. WALL (2-STORY).

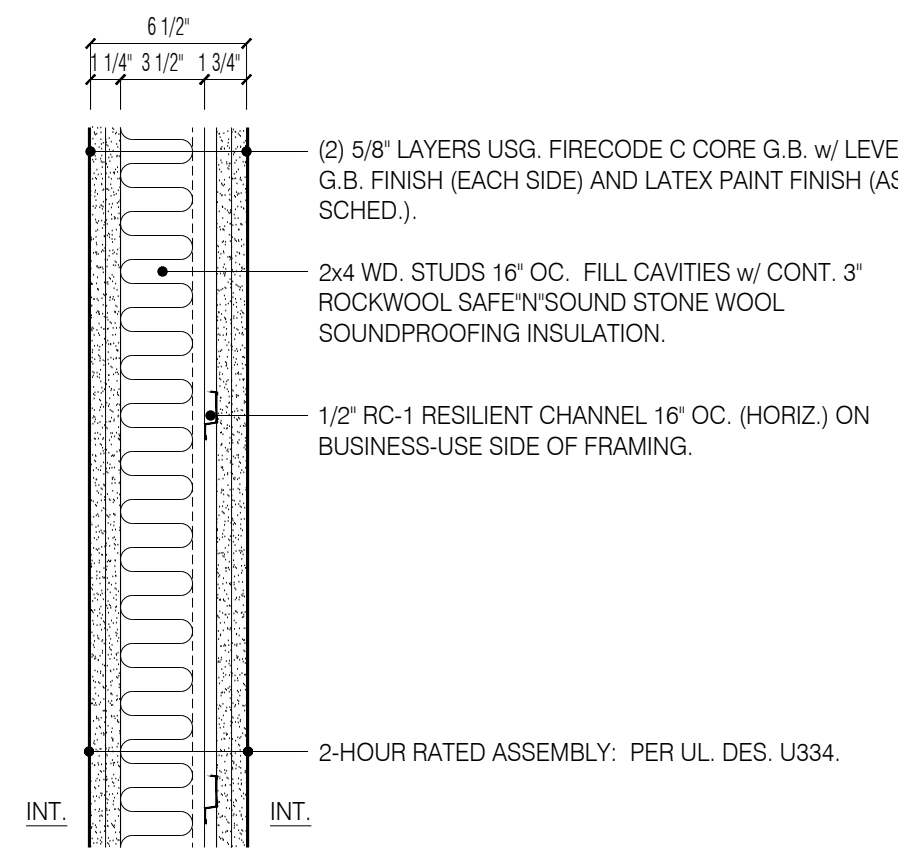


B TYP. EXT. WALL (1-STORY).



C TYP. 2x4 PARTITION/WALL

1 WALL TYPES
1-1/2" = 1'-0"



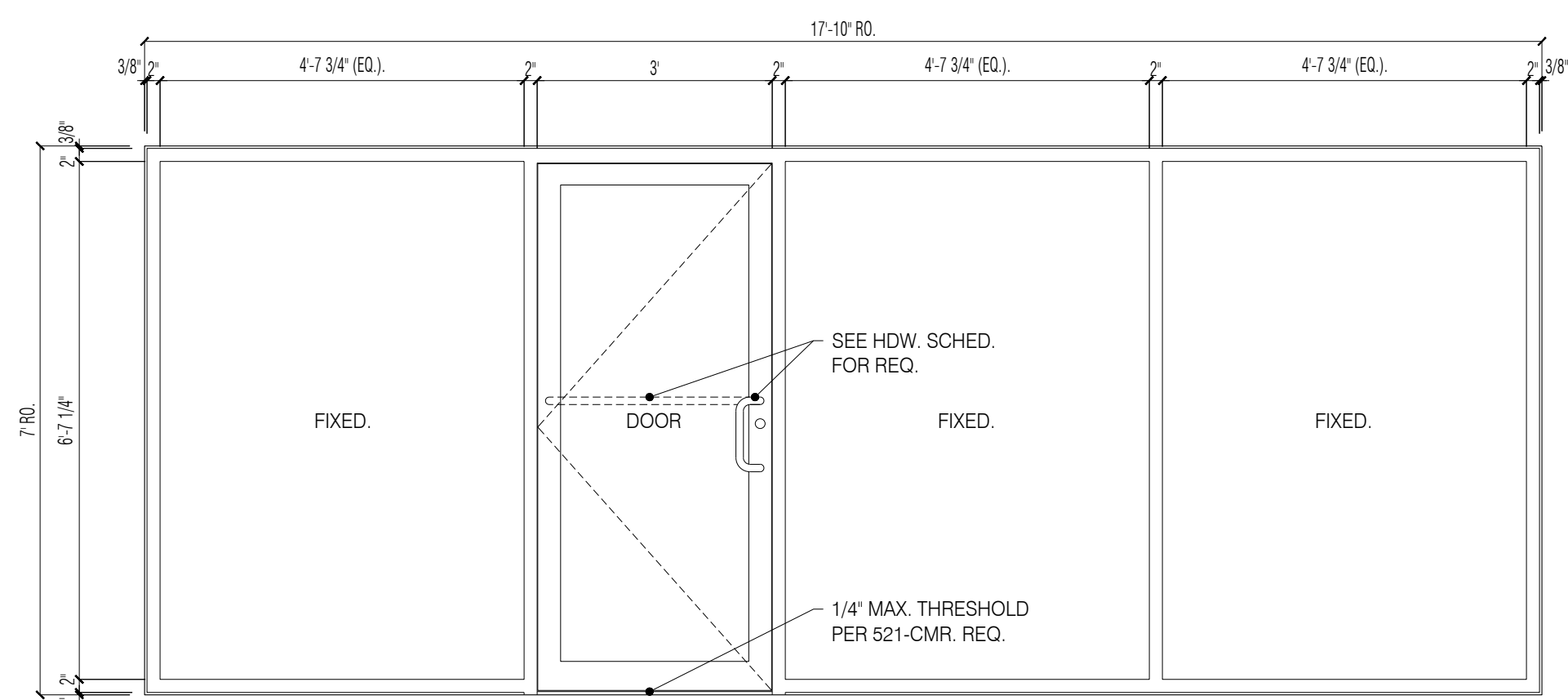
D TYP. 2-HR RATED WALL

WALL TYPE/FINISH NOTES

- WALL TYPE DIMENSIONS ARE TO FACE OF UNFINISHED GYPSUM BOARD FOR CLARITY OF BOARD THICKNESS. GIVEN THE NATURE OF GYPSUM FINISHING, ROUGHLY 1/8" THICKNESS FOR CORNER AND J BEADS HAS BEEN ACCOUNTED FOR IN THE DRAWINGS.
- ALL NEW GYPSUM WALLBOARD SHALL BE PER WALL TYPE, UNLESS MATCHING EXISTING GYPSUM FINISH THICKNESS, NOT PART OF A RATED ASSEMBLY. PROVIDE MOISTURE-RESISTANT GYPSUM BOARD IN RESTROOMS AND WET AREAS. PROVIDE CEMENTITIOUS TILE BACKER AT ALL WALL TILE LOCATIONS TO MATCH TYP. WALL THICKNESS REQUIREMENTS.
- RESTROOM AND TILED FLOOR AREAS TO HAVE SCHLUTER SYSTEMS DITRA UNCOUPLING MEMBRANE, OR APPROVED EQUAL. WET AREA WALLS TO HAVE KERDI MEMBRANE LAP UP WALLS MIN. 4".
- PROVIDE CONT. ROCKWOOL SAFE 'N' SOUND STONE WOOL ACOUSTIC INSULATION AT ALL NEW RESTROOM AND EXAM INTERIOR WALL/PARTITIONS, AS WELL AS EXISTING INTERIOR WALL/PARTITIONS WHERE STUD CAVITIES ARE EXPOSED DUE TO OTHER SCOPES OF WORK.
- ALL FINISHES AND COMPONENTS SHALL BE INSTALLED PER MANUFACTURER REQUIREMENTS. ALL FINISH COLORS TBD. BY OWNER.
- PROVIDE FIRE-RATED ACOUSTIC SEALANT AT ALL WALL, CEILING, AND FLOOR PLANE INTERSECTIONS TO PROVIDE AIR TIGHT, DRAFT STOPPING, FIRE-RATED ASSEMBLIES. SOLID 2x WOOD BLOCKING SHALL BE PROVIDED WHERE ANY WALL/CEILING ASSEMBLY EXTENDS WITHIN ANOTHER CAVITY.
- PROVIDE ADDITIONAL STUDS AND 2x SOLID BLOCKING AT WALLS FOR ALL SHEATHING AND GYPSUM BOARD JOINTS NOT LOCATED ON A STUD. PROVIDE ADDITIONAL CONT. BLOCKING AS NEEDED FOR PROPER ANCHORING OF BASE, TRIM, CASING, AND G.B. TRIM PROFILES AT ALL CORNERS AND OPENINGS.
- ALL WOOD TO BE PAINTED (TRIM, FLAT STOCK, AND PROFILES, CAPS, SIDING ETC.) SHALL BE FULLY PRIMED ON ALL SURFACES WITH CAREFUL ATTENTION TO END GRAIN. THIS SHALL INCLUDE ALL FACES WHICH HAVE BEEN CUT, TRIMMED, PLANED, SANDED, FILLED, ETC. FOR INSTALLATION.
- PROVIDE ALL FINISH SAMPLES FOR ARCHITECT APPROVAL PRIOR TO PURCHASE. ONE OF EACH SAMPLE SHALL REMAIN WITH ARCHITECT FOR RECORDS.
- ALL FLOORING SHALL FULLY COMPLY w/ 521-CMR 20.10 ACCESSIBILITY REQUIREMENTS, IF A FLUSH TRANSITION IS NOT FEASIBLE.

FINISH + TRIM SCHEDULE

- FLOOR FINISH: COMPOSITE PLANK FLOORING TBD. BY OWNER.
- BATHROOM FLOOR TILE: 2x4x2 RECTIFIED PORCELAIN TILE TBD. BY OWNER. EPOXY GROUT BY LATCRETE. COLOR TBD. TILE TO BE RATED COMMERCIAL-GRADE SLIP-RESISTANT.
- WALL PAINT: BENJAMIN MOORE AURA WATERBORNE INTERIOR PAINT, EGGSHELL SHEEN (2-COATS) OVER BENJAMIN MOORE FRESH START, HIGH HIDING PRIMER (1-COAT). COLOR: TBD. BY OWNER.
- CEILING PAINT (ALL COATS SPRAY APPLIED): BENJAMIN MOORE WATERBORNE CEILING PAINT, ULTRA FLAT SHEEN (2-COATS) OVER BENJAMIN MOORE FRESH START, HIGH HIDING PRIMER (1-COAT). COLOR: TBD. BY OWNER.
- DISPLAY SHELVING: RAKKS SHELVING SYSTEM. PC4 SUPPORT POLE w/ ANCHOR BRACKET AT CEILING AND THREADED MOUNT AT FLOOR. 7'-7" LENGTH TBD. IN FIELD. ACCESS SLOT AT BTM. SHELF QUANTITY AND BRACKET TBD. ALL RAKKS FINISHES TO BE SATIN SILVER ANODIZED ALUM. SHELF MATERIAL TBD. PROVIDE ENG. SHOP DRAWING (PROVIDED BY MANUF.) FOR ARCHITECT APPROVAL PRIOR TO PURCHASING.
- FLOOR BASEBOARDS: 5/8"x2-1/4" WD. PAINT TO MATCH ADJ. WALL COLOR, UON.
- INT. DOOR CASING: 3/4"x2-1/4" WD. PAINTED TO MATCH ADJ. WALL COLOR, UON.
- ADD ALTERNATE - EX. WINDOWS WITHIN BUSINESS-USE AREA: PICTURE-FRAMED 3/4"x2-1/4" WD. PAINTED TO MATCH ADJ. WALL COLOR, UON.



2 STOREFRONT ELEVATION
1/2" = 1'-0"



1 ELECTRICAL PLAN
1/4" = 1'-0"

ELECTRICAL NOTES

- ELECTRICAL SYSTEM SHALL BE DESIGN BUILD. CONTRACTOR SHALL SIZE AND INSTALL ALL NECESSARY WIRING, CONDUIT, SERVICE, PANELS, LIGHT BULBS, AND EQUIPMENT ACCORDING TO CURRENT CODE REQUIREMENTS, AND SUBMIT SHOP DRAWINGS FOR ARCHITECT REVIEW PRIOR TO START OF CONSTRUCTION.
- ALL SWITCH AND OUTLET LOCATIONS SHALL BE REVIEWED BY ARCHITECT AND OWNER IN FIELD PRIOR TO START OF INSTALLATION.
- FIXTURES AND RECEPTACLES ARE DIMENSIONED TO CENTER OF FIXTURE, UON.
- ALL SWITCHES AND DIMMERS SHALL BE DIVA COLLECTION PADDLE SWITCH BY LUTRON, UON. SWITCHES AND PLATES SHALL BE WHITE. ALL LIGHTING AND SWITCHING SHALL BE DIMMABLE, UON.
- ALL RECEPTACLES SHALL MATCH SWITCH STYLE, AND BE STANDARD OR GFCI OUTLETS AS REQ. UON. RECEPTACLES AND PLATES SHALL BE WHITE, UON.
- ALL EXTERIOR LIGHTING TO INCLUDE, OR BE WIRED TO, DUSK/DAWN PHOTOCELL SENSOR IN ADDITION TO SWITCH CONTROLS, TIMERS, AND MOTION DETECTION.

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SEAL
THIS DRAWING IS PROPERTY OF ALEX MCMANUS AIA. UNLESS OTHERWISE PROVIDED FOR BY CONTRACT.
CONTRACTOR
FELTONVILLE BUILDING COMPANY
483 MAIN STREET
HUDSON, MA 01749

ELECTRICAL LEGEND

SURFACE-MOUNTED FIXTURE.	○
RECESSED DOWNLIGHT FIXTURE.	○
RECESSED PIN SPOT FIXTURE.	○
WALL-MOUNTED FIXTURE.	○
VENT FAN.	⊠
TRACK LIGHT FIXTURE (AS NOTED).	⊠
DUPLEX RECEPTACLE.	⊕
SWITCHED RECEPTACLE.	⊕
GFCI DUPLEX RECEPTACLE.	⊕
SPECIAL RECEPTACLE (AS REQ. BY APPLIANCE).	⊕
COAXIAL DATA RECEPTACLE.	⊕
DATA RECEPTACLE.	⊕
TELEPHONE RECEPTACLE.	⊕
SWITCH.	⊕
THERMOSTAT (TS.)	⊕

LIGHTING SCHEDULE

- WALL SCONCE (ACCENT): UL-LISTED WHITE PORCELAIN SOCKET BASE. BULB: G25 6W/6900 CLR GLASS w/ SILVER TIP LED 2700K, BY SCHOOLHOUSE.
- CEILING (GENERAL): UL-LISTED WHITE PORCELAIN SOCKET BASE. BULB: G40 6W/540L MATTE WHITE PORCELAIN DIMMABLE LED 2700K, BY SCHOOLHOUSE.
- PENDANT (COUNTER AREA): TBD. BY OWNER.
- SURFACE-MNTD. CLG. (KITCHEN/STORAGE): UL-LISTED WHITE PORCELAIN SOCKET BASE. BULB: G25 6W/600L FROSTED GLASS LED 3000K, BY SCHOOLHOUSE.
- TRACK LIGHTING (GENERAL): JUNO TRAC-LITES R-SERIES (VARIOUS LENGTHS, SEE PLAN), FINISH WHITE. HEAD: JUNO TRACK-LITES UNIVERSAL RS41, FINISH WHITE. QUANTITY AND BULB TBD. BY OWNER (PLAN INDICATES EST. QUAN.).
- TRACK LIGHTING (EXAM): JUNO TRAC-LITES R-SERIES (VARIOUS LENGTHS, SEE PLAN), FINISH WHITE. HEAD: JUNO TRACK-LITES UNIVERSAL RS41, FINISH WHITE. QUANTITY AND BULB TBD. BY OWNER (PLAN INDICATES EST. QUAN.).
- WALL SCONCE (HAND SINK): UL-LISTED WHITE PORCELAIN SOCKET BASE. BULB: G25 6W/540L MATTE WHITE PORCELAIN DIMMABLE LED 2700K, BY SCHOOLHOUSE.
- WALL SCONCE (FLUSH): 5613-0 ARCHITECTURAL LAMP HOLDER w/ 5186-5 1-GANG CLUSTER COVER BY BELL. BULB: PHILLIP 9W/1300L PAR38, 3000K. COLOR GRAY.
- SURFACE-MNTD. (FLUSH) SOFFIT (EXT. BUSINESS): 5613-0 ARCHITECTURAL LAMP HOLDER w/ 5186-5 1-GANG CLUSTER COVER BY BELL. BULB: PHILLIP 9W/1300L PAR38, 3000K. COLOR GRAY.

GENERAL NOTES:
1. ALL COLORS AND FINISH OPTIONS TBD. BY OWNER, UON.
2. SUBMIT SHOP DRAWINGS FOR ARCHITECT APPROVAL PRIOR TO ORDERING FIXTURES.
3. ALL FIXT. AND LAMPING SHALL BE DIMMABLE TYPE, UON.
4. BULB COLOR TEMP. AND LUMEN VALUE MAY REQ. ADJUSTMENT BASED ON FINISH COLORS, FINISH TYPES, AND FURNISHING LAYOUT.

EQUIPMENT SCHEDULE

- WHISPER CHOICE AUTO VENTILATION FAN (FV-081RQC1) BY PANASONIC. DUCT TO EXTERIOR w/ SEHO SFX-4 w/ BUD SCREEN (FIN. ANO. ALUM.) AND 4" DIA. RIGID METAL DUCTWORK.
- UNDER-COUNTER REFRIGERATOR MLR024-SS01A BY MARVEL (OR OTHER TBD. BY OWNER).

GENERAL NOTES:
1. ALL COLORS AND FINISH OPTIONS TBD. BY OWNER.

PROJECT NAME
GOSWICK EYE HARVARD
INTERIOR + EXTERIOR COMMERCIAL ALTERATION
CLIENT
EMILY + CHRIS GOSWICK
GOSWICK EYE
345 MAIN STREET
NORTHBOROUGH, MA 01532
PROJECT ADDRESS
184 AYER ROAD
HARVARD, MA 01451
PROJECT NUMBER
20006
DRAWN BY / CHECKED BY
AGM / AGM
ISSUE DATE
10.15.2021
PHASE
95% C.D. SET V2
PERMIT SET
FOR CONSTRUCTION
REVISIONS
SHEET TITLE
ELECTRICAL PLAN
SHEET
E110

ARCHITECT

ALEX McMANUS AIA

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UNLESS OTHERWISE PROVIDED FOR BY CONTRACT.

TEAM

CONTRACTOR
FELTONVILLE BUILDING COMPANY
483 MAIN STREET
HUDSON, MA 01749

PROJECT NAME

**GOSWICK EYE
HARVARD**

INTERIOR + EXTERIOR
COMMERCIAL ALTERATION

CLIENT

EMILY + CHRIS GOSWICK
GOSWICK EYE
345 MAIN STREET
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184 AYER ROAD
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DRAWN BY / CHECKED BY

AGM / AGM

ISSUE DATE

10.15.2021

PHASE

95% C.D. SET V2
PERMIT SET
FOR CONSTRUCTION

REVISIONS

-

SHEET TITLE

BACK COVER SHEET

SHEET

END

THIS IS A PROTECTIVE SHEET, AND IS INTENTIONALLY BLANK.

ZONING INFORMATION:

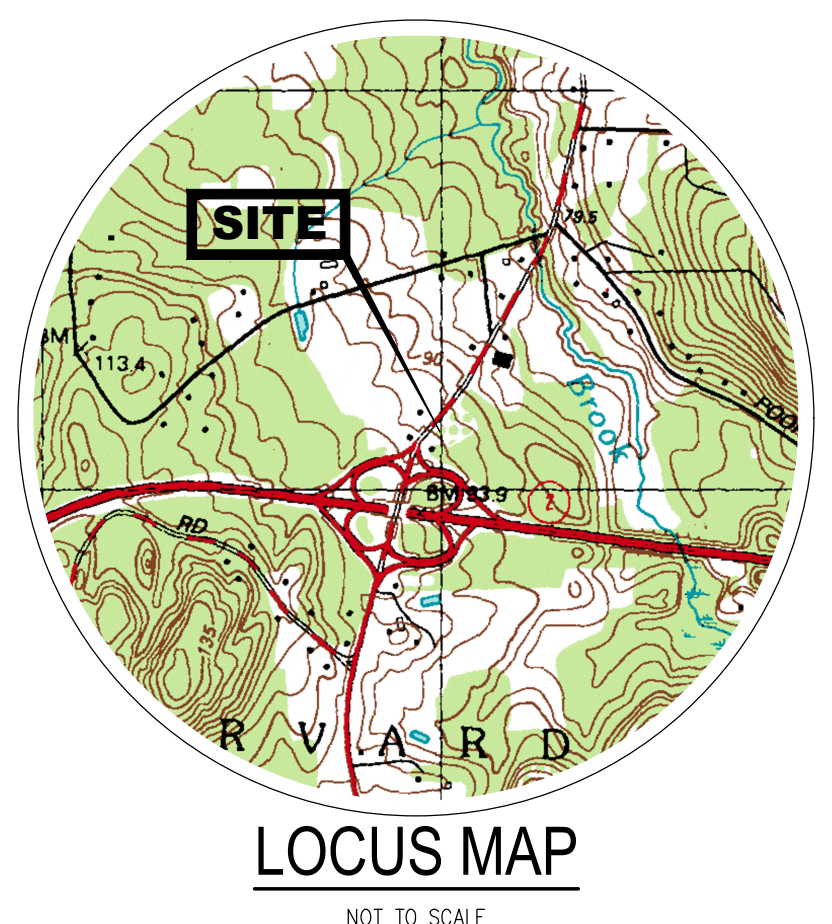
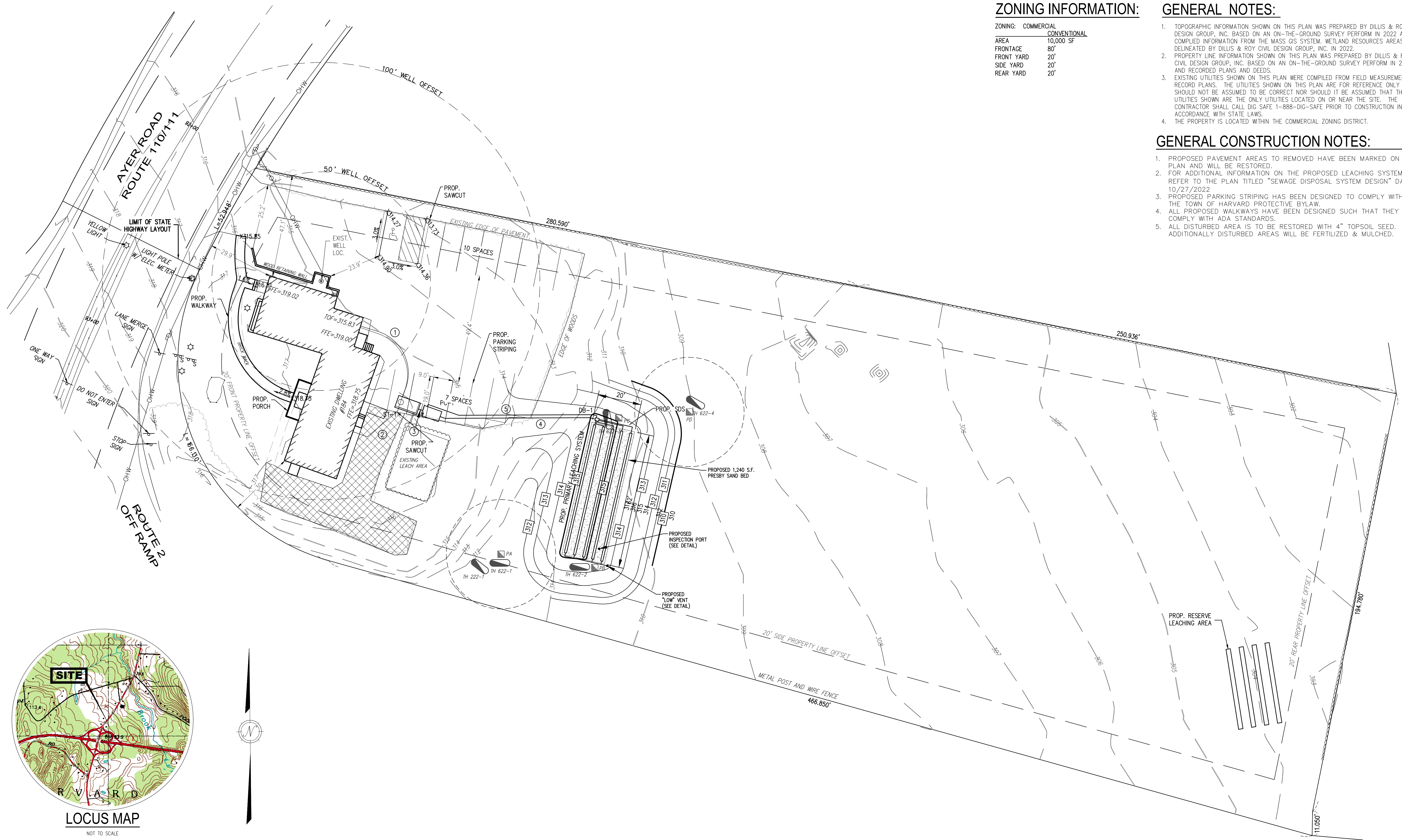
ZONING:	COMMERCIAL	CONVENTIONAL
AREA	10,000 SF	
FRONTAGE	80'	
FRONT YARD	20'	
SIDE YARD	20'	
REAR YARD	20'	

GENERAL NOTES:

1. TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN WAS PREPARED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. BASED ON AN ON-THE-GROUND SURVEY PERFORM IN 2022 AND COMPILED INFORMATION FROM THE MASS GIS SYSTEM. WETLAND RESOURCES AREAS WERE DELINEATED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. IN 2022.
2. PROPERTY LINE INFORMATION SHOWN ON THIS PLAN WAS PREPARED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. BASED ON AN ON-THE-GROUND SURVEY PERFORM IN 2022 AND RECORDED PLANS AND DEEDS.
3. EXISTING UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM FIELD MEASUREMENT AND RECORD PLANS. THE UTILITIES SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND SHOULD NOT BE ASSUMED TO BE CORRECT NOR SHOULD IT BE ASSUMED THAT THE UTILITIES SHOWN ARE THE ONLY UTILITIES LOCATED ON OR NEAR THE SITE. THE CONTRACTOR SHALL CALL DIG-SAFE 1-888-DIG-SAFE PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAWS.
4. THE PROPERTY IS LOCATED WITHIN THE COMMERCIAL ZONING DISTRICT.

GENERAL CONSTRUCTION NOTES:

1. PROPOSED PAVEMENT AREAS TO BE REMOVED HAVE BEEN MARKED ON THE PLAN AND WILL BE RESTORED.
2. FOR ADDITIONAL INFORMATION ON THE PROPOSED LEACHING SYSTEM REFER TO THE PLAN TITLED "SEWAGE DISPOSAL SYSTEM DESIGN" DATED 10/27/2022.
3. PROPOSED PARKING STRIPING HAS BEEN DESIGNED TO COMPLY WITH THE TOWN OF HARVARD PROTECTIVE BYLAW.
4. ALL PROPOSED WALKWAYS HAVE BEEN DESIGNED SUCH THAT THEY COMPLY WITH ADA STANDARDS.
5. ALL DISTURBED AREA IS TO BE RESTORED WITH 4" TOPSOIL SEED. ADDITIONALLY DISTURBED AREAS WILL BE FERTILIZED & MULCHED.



PREPARED BY:

DILLIS & ROY
CIVIL DESIGN GROUP

CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS
1 MAIN STREET, SUITE 1 LUNENBURG, MA 01462 PHONE: (978) 779-6091 www.dillisandroy.com

OWNER:
PHOENIX-DURANGO LLC
345 MAIN ST
NORTHBROUGH, MASSACHUSETTS

APPLICANT:
CHRIS & EMILY GOSWICK
200 PLEASANT STREET
MARLBOROUGH, MASSACHUSETTS

SCALE:

COPYRIGHT DILLIS & ROY CIVIL DESIGN GROUP, INC 2021

DATE:	10/19/2022
DESIGN BY:	GSR
DRAWN BY:	MMK
CHECKED BY:	GSR

SITE PLAN 184 AYER ROAD HARVARD, MASSACHUSETTS			
NO.	DATE	DESCRIPTION	BY

JOB NO. 6932

DRAWING NO. 6932-SITE PLAN

SHEET NO. **C1.0**

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				
PHOENIX-DURANGO LLC 345 MAIN ST NORTHBOROU MA 01532		1 Level	5 Well	3 Med Traffic	4 Bus. District	Description	Code	Appraised	Assessed	125 HARVARD, MA
			6 Septic	6 Paved		COMMERC.	3400	266,500	266,500	
SUPPLEMENTAL DATA						COM LAND	3400	268,400	268,400	VISION
Alt Prcl ID 1250080004100000 House Col WHITE Field Chec										
GIS ID M_193378_919407 Assoc Pid#						Total 534,900 534,900				

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)						
PHOENIX-DURANGO LLC	64869	275	04-06-2021	Q	I	650,000	00	Year	Code	Assessed	Year	Code	Assessed	
12 LANCASTER COUNTY ROAD LLC	51910	0171	12-31-2013	Q	I	510,000	00	2022	3400	266,500	2021	3400	232,200	
HARVARD PROFESSIONAL OFFICES LLC	46903	0018	12-31-2010	Q	I	390,000	00		3400	268,400	2020	3400	268,400	
CORLISS, WILLIAM J JR REVOCABLE TR	36684	0291	06-29-2005	U	I	1	1A							
CORLISS, ELIZABETH A	17262	0082	08-23-1995	U	I	100	1F							
Total								534,900	Total		500,600	Total		500,600

EXEMPTIONS			OTHER ASSESSMENTS					
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int
		Total	0.00					

ASSESSING NEIGHBORHOOD			
Nbhd	Nbhd Name	B	Tracing
1			

NOTES	
PLAN B219 P95 2ND LEVEL 4 RM APT 2 BDRM, 1BATH=33% OF 1ST LEVEL-FIRST LEVEL HAS 2 BUS SUITES TOTAL BATHS 1 FULL & HALF PER PREV OWNER 4-3-14	

As of January 1, 2022

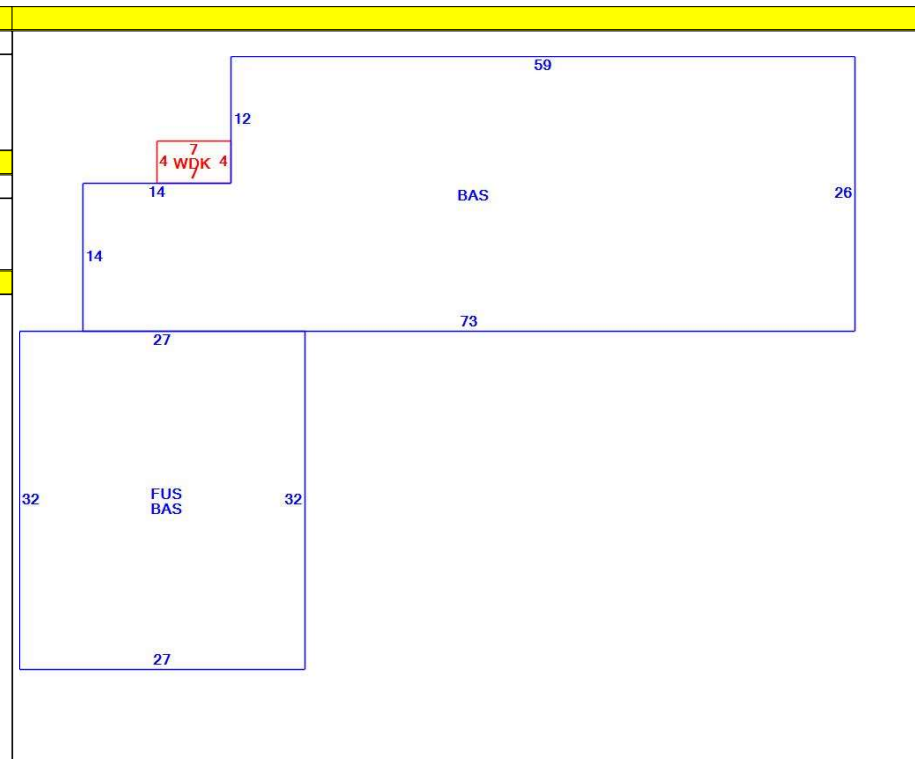
BUILDING PERMIT RECORD							VISIT / CHANGE HISTORY							
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result
12-276	12-31-2012	CM	Commercial	1,000		100		REPL SIGN POLES;NEW SIG	12-13-2017	DH	X	N	C	Cyclical Insp
11-128	08-08-2011	RE	Renovation	4,200	11-15-2011	100		RESHINGLE/INT RENOV/BUL	11-15-2011	LC	X		M	Maintenance/Buld Pemt
									10-07-2004	DI			01	Measur+1Visit
									08-20-1998	JD	X		C	Cyclical Insp
									07-08-1986	JD	X	M	C	Cyclical Insp

LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	I. Factor	Site Index	Cond.	Nbhd.	Nbhd Adj	Notes	Location Adjustment	Adj Unit Pric	Land Value
1	3400	OFFICE BLD	C	Primary	1.500	AC 211,000.00	0.72669	P	1.00	GG	1.100			0	253,000
1	3400	OFFICE BLD	C	Primary	0.770	AC 20,000.00	1.00000	0	1.00		1.000			0	15,400
Total Card Land Units					2.27	AC	Parcel Total Land Area: 2.27					Total Land Value 268,400			

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	18	Office Bldg			
Model	94	Commercial			
Grade	04	Average+			
Stories:	2				
Occupancy	3.00				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	05	Drywall			
Interior Wall 2					
Interior Floor 1	09	Pine/Soft Wood			
Interior Floor 2	14	Carpet			
Heating Fuel	07	Propane			
Heating Type	05	Hot Water			
AC Type	01	None			
Bldg Use	3400	OFFICE BLD			
Total Rooms	6				
Total Bedrms	2				
Total Baths	2.5				
Heat/AC	02	HEAT/AC SPLIT			
Frame Type	02	Wood Frame			
Baths/Plumbing	03	Average			
Ceiling/Wall	03	Plaster			
Rooms/Prtns	03	Average			
Wall Height	8.00				
% Conn Wall					
1st Floor Use:					

MIXED USE		
Code	Description	Percentage
3400	OFFICE BLD	100
		0
		0

COST / MARKET VALUATION	
RCN	397,766
Year Built	1890
Effective Year Built	
Depreciation Code	VG
Remodel Rating	
Year Remodeled	
Depreciation %	33
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	67
RCNLD	266,500
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Good	Grade	Grade Adj	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION							
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value	
BAS	First Floor	2,594	2,594	2,594	114.93	298,123	
FUS	Upper Story, Finished	864	864	864	114.93	99,298	
WDK	Deck, Wood	0	28	3	12.31	345	
Ttl Gross Liv / Lease Area		3,458	3,486	3,461		397,766	



OFFICE OF THE
PLANNING BOARD

13 AYER ROAD HARVARD, MA 01451

978-456-4100

www.harvard-ma.gov



To: Lynn Kelly, Town Clerk
Harvard Town Hall
13 Ayer Road
Harvard, MA 01451

DECEMBER 19, 2022

HARVARD PLANNING BOARD

NOTICE OF DECISION ON APPLICATION OF

**DISH WIRELESS L.L.C.
BY ITS REPRESENTATIVE
CROWN CASTLE USA INC.**

FOR A SPECIAL PERMIT

**131 BROWN ROAD
HARVARD, MA 01451
ASSESSORS MAP 36 – PARCEL 93.4 T
WORCESTER REGISTRY OF DEEDS
BOOK 13188, PAGE 164**

The applicant, Crown Castle, representing DISH Wireless L.L.C, submitted a request for a Special Permit under the “Code of the Town of Harvard”, §§125-27, and 125-46 of the Protective Bylaw, filed with the Town Clerk on November 3, 2022. At this time, the applicant proposes to add three (3) new antennae to its facilities on the communications tower located 131 Brown Road.

I. All provisions of the decisions remain in place except as modified herein.

Plans and Documents Submitted in Support of the Application

The Applicants submitted the following plans documents, which together with Public Hearing testimony, provide the basis for this decision.

1. "Special Permit Application Package", dated and received by the Town Clerk on November 3, 2022, including:
 - a. Cover (form) letter dated March 30, 2022 from Ersilia Davis, of Crown Castle Inc., 6325 Ardrey Kell Road, Suite 600, Charlotte, NC 28277
 - b. Application to the Harvard Planning Board
 - c. Certified List of Abutters dated October 13, 2022
 - d. A Removal Bond in the amount of \$20,000 from Liberty Mutual Insurance Company to guarantee the maintenance, replacement, removal, or relocation of the equipment.
 - e. Power of Attorney
 - f. Check #17365 made payable to the Town of Harvard in the amount of \$500.00
 - g. Structural Analysis Report dated January 4, 2022 for a 103.5 foot – monopole tower at the 131 Brown Street site.
 - h. Radio Frequency – Electromagnetic Energy (RF-EME) Report prepared by EBI Consulting dated 31 Aug. 2022.
2. Input from Harvard Town Boards/Departments:
 - a. No comments on the proposal
3. Consultant Reviews: None
4. Legal Notices Advertised and Mailed to Abutters:
 - a. A copy of the Legal Notice advertising the Public Hearing to be held on the application on Monday, December 19, 2022. The advertisement appeared in the "The Harvard Press" on December 2 & 9, 2022 in compliance with MGL covering such public notice.
 - b. An Affidavit of Mailing to Abutters dated November 29, 2022 endorsed by the Town Clerk.

The Planning Board opened the public hearing on the application for a Special Permit and on December 19, 2022 and closed the hearing that same evening. The application was presented by Lamar Freeman on behalf of DISH Wireless L.L.C., as the Applicant. The Board received no public input at the hearing or by correspondence prior to the close of the hearing. After the close of the hearing, the Planning Board completed its deliberations and voted to **GRANT** the Special Permit with conditions.

FINDINGS

The Harvard Planning Board makes the following findings with respect to the Application:

1. This Special Permit is granted in harmony with the provisions set forth in Article 1, §125-1, Purpose, of the Harvard Protective Bylaw.
2. There will be no storage of fuels or hazardous materials on the premises.
3. The granting of a Special Permit will be in compliance with the Protective Bylaw §125-46C(1) and:
 - a. will not result in substantial increase of volume or rate of surface water runoff to neighboring properties and streets, will not result in substantial danger of pollution or contamination of the ground water supply, a ground water absorption area, a well, pond, stream, watercourse, W district, or inland wetland. All surface water runoff resulting from the construction of the facility will be retained within the lot in which it originates;
 - b. will result in no substantial increase in traffic on any residential street in proximity to the premises; and
 - c. will be in harmony with the general purpose and intent of the Bylaw.
4. The Applicant has submitted all materials in compliance with §125-27.
5. The antennae will be mounted at the same height as the current installation and will not increase the height of the tower. The existing ground equipment will still be contained within the existing fenced lease area and will not increase the overall size of the facility.
6. Crown Castle, a developer of communications facilities, maintains the tower at 131 Brown Road pursuant to a lease from the property owner, AT&T. The tower is in the Wireless Communications Towers Overlay District (WCTOD).

Conditions and Limitations on Exercise of Special Permit

The following conditions and limitations shall run with this Permit. They may be altered only by an application to this Board to modify the Permit, or if such alteration is determined to be minor and meets the following requirements, they may be altered only by the written and recorded consent of four (4) members of the five (5) member Board, upon a vote taken at an open meeting, and then only if:

- a. the change is consistent with the Findings above;
 - b. the change does not reduce a requirement of the Bylaw; and
 - c. the change does not prejudice the interests of anyone entitled to notice of the hearing on the Permit.
1. The project shall remain in accordance with the plans approved by the Planning Board with a revision date of March 18, 2022.
 2. The antennas shall be maintained and camouflaged in accordance with the approved plans.
 3. The antennas shall be painted to match the color of similar equipment on the stealth tree. Placement of antennas on the tower shall not disturb the "stealth" appearance of the tower.

4. The Grantee shall maintain the bond submitted with the application as required by §125-27H(2) to assure the Special Permit holder's compliance with its obligations in the event that the holder ceases to use the tower and to remove parts owned by the Permit holder and all accessory equipment/structures so owned.
5. The Grantee shall file with the Building Commissioner and the Board an annual certification demonstrating continuing compliance with the standards of the Federal Communications Commission and the American National Standards Institute.
6. The Grantee shall provide prior written notice to the Building Commissioner and the Board in the event of a change or increase of use of the tower or the Grantee's facilities on and at the tower, change of Grantee, or cessation of use on and at the tower. Any change in use or increase in the intensity of use of the tower shall require a new Special Permit.
7. The term of the Permit is for five (5) years from the expiration of the twenty-day appeal period after the filing of the decision with the Town Clerk pursuant MGL Chapter 40A, Section 17. All provisions of the Permit shall be binding on the Grantee, its successors, or assigns.
8. The Grantee shall remove all its installation(s) on the tower and all related accessory equipment/structures when there is a cessation of use for a period of at least one year, and/or one year following expiration of the Permit, unless renewed.
9. The Grantee shall furnish current actual cost information for its installation and ground equipment in a form satisfactory to the Board and Board of Assessors, for the purposes of tax assessment. The value of site improvements and structures, including the antennas and equipment, shall be included.
10. The Grantee (and its designee) shall run the generator necessary to test its equipment between 10am and 2pm.
11. Grantee shall comply with all conditions of this Permit prior to commencement of operation.

ACTION OF THE PLANNING BOARD-DECISION

Therefore, as of December 19, 2022 by a vote of four (4) to zero (0) of the Planning Board members eligible to vote, the Board hereby **GRANTS** to the Applicant a Special Permit Approval under Sections 125-27 and 125-46 of the Bylaw allowing the Special Permit for the collocation of antennae, ancillary equipment and ground equipment as per plans for a new carrier on an existing wireless communications facility at 131 Brown Road, Assessors Map 36, Parcel 93.4 T, subject to the conditions and limitation contained herein.

This decision is not valid until after it has been certified with respect to an Appeal by the Harvard Town Clerk, as provided in MGL, Chapter 40A Section 11, and a copy as certified has been recorded in the Worcester Registry of Deeds.

An Appeal of this decision may be made pursuant to MGL Chapter 40A Section 17 within twenty (20) days after the decision is filed with the Town Clerk.

Richard S. Cabelus, Chair

Stacia Donahue

Brian Cook

Doug Thornton

TO WHOM IT MAY CONCERN:

I hereby certify the twenty (20) day appeal period on this decision has expired, and no appeals have been filed with this office.

Lynn Kelly, Town Clerk

Date

§ 125-35. Open Space and Conservation - Planned Residential Development (OSC-PRD).

[Added 3-29-2003 ATM by Art. 32¹]

This section establishes and regulates Open Space and Conservation Planned Residential Development (OSC-PRD). Development under this section is pursuant to a special permit granted by the Planning Board.

A. Purpose and intent. The purpose and intent of the OSC-PRD provision is to permit high-quality residential development that preserves open space, water resources, wetlands, habitat, prime agricultural land, scenic landscapes and natural features, reduces infrastructure and site development cost, and promotes a diversity of housing opportunities within the Town, while respecting and enhancing neighborhoods, and promoting attractive standards of appearance and aesthetics consistent with Town character.

- (1) A further purpose of the OSC-PRD provision is to reduce the anticipated negative fiscal impact on the Town associated with conventional residential development.
- (2) The OSC-PRD provision is designed to encourage the siting of homes in a manner that clusters units together in well-designed village settings, on buildable portions of the site, as a distinct alternative to the more arbitrary siting associated with lot by lot development typically reflected in plans submitted pursuant to Massachusetts General Laws Chapter 41, Sections 81K through 81GG, the Subdivision Control Law.

B. Applicability. The Planning Board may grant a special permit for an OSC-PRD on an Agricultural-Residential (AR) zoned tract of land ~~that is at least 4.5 acres of land area,~~ with definite boundaries ascertainable from a recorded or registered deed(s) or recorded or registered plan(s). Existing public and private ways need not constitute boundaries of the tract, but the area within such ways shall not be counted in determining tract size.

- (1) **Permitted uses in Open Space and Conservation Planned Residential Development.** Permitted uses include the following:
 - (a) Single-family detached dwellings.
 - (b) ~~Multi-family dwellings Attached units, not to exceed 6 or more units in any single building.~~

¹ Editor's Note: This article also repealed former § 125-35. Cluster development for open space conservation, added 3-31-1990 ATM by Art. 18, as amended.

1. JOHN MCCORMACK November 14, 2022 at 10:45:04 AM What is the definition of Passive recreation?

2. JOHN MCCORMACK November 14, 2022 at 6:21:50 PM Would this preclude development in the C district? Yes as stated in 125-35B this bylaw is with the AR District

§ 125-35

§ 125-35

- (c) Agriculture and horticultural uses including but not limited to orchards, vineyards, forestry, farming for fruits and vegetables.
- (d) Open space.
- (e) Trails.
- 1 (f) **Passive recreation.**
- (g) Educational and religious uses and other uses not mentioned above which are exempt from regulation by zoning under Massachusetts General Laws Chapter 40A, Section 3.
- (h) Accessory residential/recreational uses (e.g., tennis court, pool, playground).

2 C. **Requirements and process for approval.** An applicant who is the owner (or with the permission of the owner) ~~of a 4.5-acre or larger tract~~ of land in the AR District as described above, may submit to the Planning Board a plan and application for a special permit for an OSC-PRD in accordance with the provisions of this section, excepting the building lots or lot shown on such plans from the lot area and other dimensional requirements specified in other sections of this Bylaw. While a subdivision plan is not required to be submitted in conjunction with the provisions of this section, in the event that a subdivision plan is being proposed by the applicant, such plan shall be submitted to the Planning Board in accordance with §133-18, the Subdivision Rules and Regulations of the Planning Board.

- (1) **Submittal requirements.** Prior to the granting of a special permit pursuant to this section, a duly submitted application for said special permit shall be submitted together with a site plan to the Planning Board, in accordance with § 125-38, Site plans, of the Bylaw, and any Site Plan Rules and Regulations adopted by the Planning Board. For purposes of this Bylaw, a landscape architect, architect, land surveyor, and professional engineer must participate in the preparation of such site plan, which shall include the following:
 - (a) The location of the proposed development.
 - (b) The size of the site in acres.
 - (c) The total number of the proposed buildings and/or lots, and the size of each in square feet.
 - (d) The acreage and proposed use of permanent open space.
 - (e) A statement on the disposition or manner of ownership of the proposed open space.

3. JOHN MCCORMACK

November 15, 2022 at 6:09:10 PM

Strike this paragraph entirely?
There should be a plan detailing what could be built under conventional subdivision plan of an area in order to show the benefit of developing under OSRD, as stated in 125-35C(3)(d), but perhaps that plan does not have to be as detailed here

§ 125-35

§ 125-35

- (f) The lots or areas which are to be used as building areas or lots, and the lots or areas which are to remain as permanent open space.
- (g) Lines showing yard and setbacks as required by this Bylaw, within which dwellings or structures must lie.
- (h) Sufficient detail of proposed built and natural features as described in § 125-35D and § 125-35E to enable the Planning Board to make the required determinations of § 125-35C(3).
- (i) A landscape preservation plan sheet(s) to be included with the site plan, reflecting the existing, natural features to be preserved and proposed landscape features and details.²

3

- (2) **Submittal of preliminary plan.** In order to assist the Planning Board in making a determination, pursuant to § 125-35C(3)(d), that an OSC-PRD is superior to a conventional subdivision development, an applicant must submit a plan of the required form and content standards as a "Preliminary Plan" in accordance with the Massachusetts General Laws Chapter 41, Section 81S and the ~~"Rules and Regulations of the Harvard Planning Board Relative to Subdivision Control."~~ § 133-17, Harvard Planning Board governing laws for Subdivision Plans. Such plan, although not a formal subdivision plan filing, and submitted for conceptual purposes only, shall include a perimeter survey prepared by a registered land surveyor, location of wetlands, ~~delineated by a wetlands specialist,~~ and topography based upon the most recent United States Geological Survey map. The applicant shall demonstrate to the satisfaction of the Board that a subdivision plan, if formally filed, would be buildable without reliance on significant waivers of the subdivision regulations, and without extraordinary engineering techniques. ~~Further, the applicant must demonstrate and provide sufficient evidence, to the satisfaction of the Planning Board, that each of the lots reflected on the "Preliminary Plan" submitted are capable of being served by an individual sewage system that would comply with the regulations of the Board of Health.~~
- (3) **Approval criteria.** After notice and a public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and after following the procedure outlined in this Bylaw, the Planning Board may grant such a special permit with any conditions, safeguards, and limitations, if it determines:

² Editor's Note: See Ch. 130, Subdivision Control.

4. JOHN MCCORMACK

November 14, 2022 at 10:55:04 AM
Should we have a scoring sheet to assess the degree to which the proposal meets the design criteria? Or, is the percentage of open space sufficient metric?

5. JOHN MCCORMACK

November 14, 2022 at 10:57:57 AM
set a cap on percentage of single family homes on separate lots?

§ 125-35

§ 125-35

6. JOHN MCCORMACK

November 14, 2022 at 10:59:46 AM
how do you know it is the best possible?

- (a) That the application form and content referred to in § 125-35C(1), herein is properly completed.
- (b) That the site plan referred to in § 125-35C(1) is properly completed.
- (c) That all the other requirements of this Section and Bylaw are fully met.

7. JOHN MCCORMACK

November 14, 2022 at 10:59:18 AM
define large?

4

- (d) That the design and layout of the proposed OSC-PRD is superior to a conventional subdivision plan in preserving open space for conservation and recreation; that it preserves natural features of the land, and allows more efficient provision of streets, utilities and other public services; and, that it provides a high degree of design quality, based on the criteria and considerations enumerated herein in § 125-35E.

8. JOHN MCCORMACK

November 14, 2022 at 11:03:23 AM
all, including

5

- (e) That if development of single family homes is being proposed on separate lots, as opposed to a clustered village concept that is a major objective of this Bylaw, exemplary site planning is demonstrated, and other determinations in § 125-35D, are met.

D. Design criteria. In its consideration of an OSC-PRD, the Planning Board shall give particular attention to, and shall use as a basis for its decision, all of the following:

- (1) Lots, streets, off-street parking, sidewalks, pathways and buildings which achieve the harmonious integration of the proposed development with surrounding properties.
- 6 (2) Overall layout and design that achieves the best possible relationship between the proposed development and the land under consideration.
- (3) Appropriately sized and configured open spaces for active or passive recreation, and where possible, links to adjoining common open space areas.
- (4) Protection of natural features such as streams, mature trees or clusters of trees, rock outcrops, bluffs, slopes, high points, views, vistas, and historic or archeological features.
- 7 (5) Provision of large buffer areas, composed of existing vegetation, to surround building groupings and building envelope areas, to discourage site clearing and encourage preservation of existing land cover and mature vegetation.
- 8 (6) Provision of access to open spaces for the physically handicapped, elderly, and children.

§ 125-35

§ 125-35

- (7) Use of open spaces for preserving, enhancing, or providing scenic vistas; preservation and protection of historic resources.
- (8) Adequacy of provisions for public safety, protection from fire and flood, and maintenance of public facilities, streets, utilities, and open space.

E. Design quality. Project design for an OSC-PRD shall be reviewed by the Planning Board with input from Town officials, any review consultant(s), and others as appropriate. This section is to be interpreted as guidelines to be applied flexibly by the Planning Board as appropriate to the situation under review, including factors such as foundation and soil characteristics and other extraordinary site constraints. While these guidelines apply to all site improvements and buildings and structures, it is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the state building code, but rather to enhance the appearance of the built environment within an OSC-PRD.

- (1) **Building and structure placement.** The placement of buildings and structures in an OSC-PRD should:
 - (a) Provide for maximum buffering of buildings and structures to adjoining properties either within the proposed OSC-PRD or to adjacent land uses. Such buffering includes, but is not limited to: landscaping, screening materials, natural barriers, fencing, and related measures.
 - (b) Preserve attractive views from major vantage points, especially from major thoroughfares and residential neighborhoods.
 - (c) Avoid regular spacings and building placements that will be viewed as continuous walls from important vantage points, which may be identified in an OSC-PRD pre-application conference.
 - (d) Avoid the placement of structures, common area facilities, and private space related to individual units in a manner that eclipses views or access to open space areas described in § 125-35K.
 - (e) Ensure that 10% of all units are fully accessible to the disabled and that a majority of units have at least one accessible entrance and bathroom on a **first floor**.

9

- (2) **Building massing/articulation.** The massing/articulation of buildings should:
 - (a) Avoid unbroken building facades longer than 50 feet.
 - (b) Provide human-scale features, especially for pedestrians and at lower levels.

- (c) Avoid unarticulated and monotonous building facades and window placement.
- (3) **Building appearance and treatment.** To the extent not inconsistent with or pre-empted by the state building code, the following should be considered as applicable:
 - (a) Materials and building treatments that reduce the visibility of the buildings from distant vantage points, and that are compatible with backgrounds and surroundings.
 - (b) Materials and colors compatible with other quality buildings of similar scale in the vicinity.
 - (c) Green building technologies and materials, wherever possible, to minimize adverse environmental impacts.
- (4) **Roofline articulation.** The design of buildings should:
 - (a) Provide a variety of building heights and varied roofline articulation that stresses New England vernacular architecture.
 - (b) Locate taller buildings away from major streets, abutting and off-site single-family residential areas and homes.
- (5) **Landscaping.** Landscaping criteria are as follows:
 - (a) All open areas, exclusive of areas to remain in an existing natural state within an OSC-PRD, should be landscaped in an appropriate manner, utilizing both natural and man-made materials such as indigenous grasses, trees, shrubs, and attractive paving materials and outdoor furniture.
 - (b) Deciduous trees should be placed along new and existing streets and ways. Outdoor lighting should be considered in the landscaping plan, and should be designed to complement both man-made and natural elements of the OSC-PRD and adjacent areas. ~~Appropriate methods (such as cutoff shields) should be used to avoid glare, light spillover onto abutting property.~~
 - (c) Intensive, high-quality landscaping or preservation of existing vegetation should be provided within the OSC-PRD where it abuts major streets, existing residential areas, and along internal drives.
 - (d) Preservation of existing vegetation or tree-lined areas should be maintained.

10. JOHN MCCORMACK

November 14, 2022 at 6:58:42 PM
Suggestion to increase density to as much as 15 units/acre - because the max would still be limited by the max allowable under standard subdivision control methods. An alternative to increasing the base development density by that magnitude is to greatly increase Incentives in section I, potentially to approach the 15 u/acre density. That will help achieve the desired result, and provide incentives for adhering to the principles of the OSC-PRD. For example, a base density of 3 units per acre with incentives permitting 3.5x increase would permit as many as 13.5 units per acre. Need to discuss.

§ 125-35

§ 125-35

- (e) Parking areas and lots should use landscaping and terracing to break up large areas of pavement and to enhance residential flavor and appearance; trees and shrubs should be used to the maximum extent feasible.
 - (f) Features such as shade trees, forest trees, and expansive planting areas should be preserved and/or introduced along external property boundaries and on the perimeter of the OSC-PRD itself, to buffer the site from adjoining parcels.
 - (g) Any lighting in the proposed development shall comply with Lighting Bylaw §125-40.
- (6) **Pedestrian amenities and recreation.** In this category, the design should include the following components/characteristics, appropriate to the land under consideration.or the number of units proposed.

F. **Utilities.** To the maximum extent feasible, all utilities should be located underground.

G. **Signage.** All signs shall comply with Protective Bylaw § 125-41. ~~At each principal entrance to the site, one sign only shall be permitted; it should be of a maximum signboard area of three square feet, with content limited to identifying the name and address of the development.~~

- (1) ~~Within the development, signs, not to exceed two square feet each, of a number and location to be approved as part of the OSC-PRD, may be permitted for the sole purposes of orientation and direction, and of identifying common building spaces.~~

10 H. **Base development density.** The maximum number of dwelling units per acre permitted in an OSC-PRD shall not exceed ~~one~~two units per ~~1.50~~ acres of land area, and in no event exceed the maximum number of lots or dwelling units obtainable under a conventional subdivision plan for the land area under consideration, except as provided in § 125-35I.

I. **Development incentive.**

- (1) The Planning Board may authorize an increase in lots or dwelling units up to a maximum of ~~25%~~350% above that allowed under § 125-35H of this Bylaw, provided the following conditions are met:
 - (a) The applicant proposes a significant increase in open space above 50%, and preserves significant natural resources, in the opinion of Planning Board.

§ 125-35

§ 125-35

- (b) There is permanent preservation of land devoted or set aside for agricultural use or other unique preservation strategy, including preservation of historic structures or barns, or other special features of the built environment.

(If (a) and (b) above are found to be satisfied, in the opinion of Planning Board, it may authorize a 5100% increase in applicable base density.)

- (c) The applicant proposes public improvements or amenities that result in substantial benefit to the Town and the general public, provided:

- [1] There are significant improvements to the environmental quality or condition of the site and its surrounding areas, including a decrease in stormwater runoff from what would otherwise result from a conventional subdivision plan.

- [2] There are provisions contributing to off-site public facilities or environmental improvements beyond those necessary to mitigate the impacts of the proposed development.

(If (c) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 5100% increase in applicable base density.)

11

- (d) The applicant proposes attached dwellings that include a maximum of two bedrooms per unit, and are developed in the character of a New England Village style of architecture.

(If (d) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 505% increase in applicable base density.)

- (e) Housing units for senior citizens and persons aged 55 years and over housing is provided. Such units should conform to §125-57E, Age Appropriate Design.

(If (e) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 50% increase in applicable base density.)

- (f) The applicant sets aside 10% or more of lots or dwelling units on the site for "affordable housing" for purchase or rental by those with households of low or moderate incomes. Such units must count toward the Town's Subsidized Housing Inventory, and be in accordance with the provisions of 760 CMR 45.00, as may be amended. The Planning Board shall review and approve the actual percentage distribution of qualifying low versus moderate income units.

12. JOHN MCCORMACK

November 14, 2022 at 6:53:34 PM

Is there a height standard somewhere else in the bylaws?

125-30C Why this constraint? when written it was associated with the size of a ladder truck. Those requirements have changed.

However, the PB attempted to revise this provision in 2017 that failed at

TM What height can the ladder truck be used for?

§ 125-35

§ 125-35

(If (f) above is found to be satisfied, in the opinion of Planning Board, it may authorize a 520% increase in applicable base density.)

- (2) **Standards for on-site affordable units.** Housing units set aside as affordable housing, as described in § 125-35I(1)(f), shall have a gross floor area comparable to market-rate units and shall be integrated into the development and not grouped together. When viewed from the exterior, the affordable units shall be indistinguishable from the market-rate units in the same development. The developer shall provide adequate guarantee, acceptable to the Planning Board, to ensure the continued availability and affordability of the units in perpetuity; such guarantee must include recorded deed restrictions, recorded restrictive covenants relative to equity limitation, or other acceptable forms of guarantees. No more than 80% of the building permits for the market-rate units shall be issued within an OSC-PRD until construction has commenced on all the affordable units; no more than 80% of the certificates of occupancy for the market-rate units shall be issued until all of the certificates of occupancy for the affordable units have been issued.

J. Dimensional requirements. The following provisions shall apply:

- (1) The Planning Board may waive the minimum requirements for frontage and/or yard requirements that would normally be applicable to land within the AR District in order to achieve maximum open space area, and may permit more than one single or two-family dwelling be located on a lot in an OSC-PRD, except as provided below.

- (2) The parcel proposed for development must have a minimum of 50 feet of frontage on a public way or private way which is open to the public.

~~(3) Attached units shall contain no more than six units in a single building.~~

- (43) The minimum distance between clusters of multiple unit dwellings, shall be 50 feet.

- (45) A minimum width of 150 feet of green area shall be established and maintained between any property adjacent to the OSC-PRD and the nearest dwelling unit or units in the OSC. [Amended 4-2-2005 ATM by Art. 34]

- (56) The minimum setback from internal roads shall be 25 feet.

- 12 (67) The maximum height of proposed buildings shall be 35 feet, and shall not exceed 2 1/2 stories.

- (78) Except as provided in this Bylaw, any lot in an OSC-PRD shall comply with any other dimensional requirements of the zoning district in which it is located.

13. JOHN MCCORMACK November 15, 2022 at 6:19:18 PM 50% contiguous seems high. perhaps lower?km

14. JOHN MCCORMACK November 16, 2022 at 11:55:26 AM What is meant by "Usable?" for passive recreation purposes Does that mean such space will not be included in the computation of the open space percentage? How does "finished grade" align with "undisturbed natural condition"? If the open space is common, why is there a distance from building requirement? it should be easily accessible to those that it serves

§ 125-35

§ 125-35

13 K. **Common open space.** A minimum of 50% of the OSC-PRD parcel shall be devoted to contiguous open space, completely devoid of any structure, parking, loading and unloading space, access ways thereto, or as private yards, patios, or gardens for the exclusive or principal use by residents of individual dwelling units. To the greatest extent possible, such open space shall be left in its undisturbed natural condition or shall be appropriate in size, shape, dimension, location, and character to assure its use as a conservation area, and where appropriate, a recreational area, and be a visual and natural amenity for the development and the Town. The common open space described herein is in substitution of and supersedes any other reference to common open space that may be described elsewhere in the Bylaw.

14 (1) **Open space criteria.** The following criteria define open space, and open space that is considered usable within an OSC-PRD parcel:

- (a) No more than 25% of common open space in an OSC-PRD shall be wetlands.
- (b) Unless approved by the Planning Board, common open space shall not be considered usable if the slope of the finished grade exceeds 33%.
- (c) Unless approved by the Planning Board, the nearest part of the common open space shall not be more than 300 feet in distance from the nearest point of any building that it is proposed to serve.
- (d) No common open space shall be considered usable unless it is compact and contiguous and has no dimension of less than 50 feet.
- (e) All usable open space shall be open to the sky and pervious.

L. **Open space conveyance.**

- (1) The common open space shall be conveyed in the following ways as approved by the Planning Board:
 - (a) To a corporation or trust comprising a homeowners association whose membership includes the owners of all lots or units contained in the development. The developer shall include in the deed to owners beneficial rights in said open land, and shall grant a perpetual open space restriction to the Town of Harvard or a non-profit corporation or organization over such land to insure that it be kept in an open state and not be built upon for residential use, or developed for accessory uses such as parking or roadways. Such restriction shall be in such form and substance as the Planning Board shall prescribe, and may

contain such additional restrictions on development and use of the open space as the Planning Board may deem appropriate.

- (b) To a non-profit organization, the principal purpose of which is the conservation of open space. The developer or non-profit organization shall grant an open space restriction as set forth above.
 - (c) To the Town for a park or open space use, subject to the approval of the Select Board, for management by the Park and Recreation Commission if a park, otherwise by the Conservation Commission, with a clause insuring that it be maintained as open space. [Amended 10-22-2018 STM by Art. 2]
- (2) **Multiple conveyance.** To provide flexibility, and when deemed in the public interest, the Planning Board may approve more than one organization to accept the open space conveyance, particularly when it is appropriate that a major portion of such land be conveyed to the Town or a non-profit conservation organization, and another portion of such land is more appropriately conveyed to an owners association.

M. Passageways. Private roadways and common driveways shall be allowed in OSCPRD parcels. While roadway surface widths may be narrower than widths associated with a traditional subdivision, the durability of passageway surfaces and subsurfaces must be comparable to those in a conventional subdivision. [Amended 4-2-2005 ATM by Art. 34]

- (1) **Criteria for passageways.** The following criteria shall guide the development of these passageways:
- (a) Cleared widths for traveled ways (excluding on-street parking spaces and passing turnouts) shall not be more than 20 feet or less than 12 feet. A cleared height of not less than 16 feet above the entire passageway shall be established and maintained.
 - (b) Drainage and surface runoff from all passageways must be suitably accommodated by an approved drainage system, using best management practices.
 - (c) All OSC-PRD plans shall specify that such passageways will not be dedicated to the Town, but are to remain private ways; all deeds or other instruments conveying any portion of land or structure in an OSC-PRD containing such a passageway(s), shall specify that such passage way(s) are and shall remain private way(s) in perpetuity; and

N. Site improvements. Site improvements specific to an OSC-PRD are listed below. To assist the Planning Board's evaluation of site changes and improvements from

any OSC-PRD plan, the applicant shall submit said plan to the Town's Conservation Commission and Board of Health for review and recommendations to the Planning Board.

- (1) **Water supply.** Each lot and the development in its entirety shall be served by water supply systems.
- (2) **Sewage disposal.** Privately owned and maintained on-site sewage disposal or treatment systems may be approved to serve buildings and lots in an OSCPRD, if owned, maintained, operated, and monitored by a residents association, notwithstanding the provisions of § 125-32D of this Bylaw, if such treatment facility or system is approved by the Board of Health and in compliance with the requirements of Title 5, 310 CMR 15.00, or approved in accordance with the requirements of 314 CMR 5.00 (the Ground Water Discharge Permit Program). An approved system may be located on land owned in common by the owners of the building lots or residential units within the development.
- (3) **Parking.** Unless otherwise approved by the Planning Board, a minimum and maximum of 1.5 off-street parking spaces shall be provided for each unit, exclusive of spaces within garages. The Planning Board may also approve, based upon the nature of the development proposed and exclusive of the 1.5 parking space ratio provided, areas for visitor parking.
- (4) **Storm runoff control.** The applicant shall demonstrate that, as compared with the situation that would exist on the site without the development, no phase of the proposed OSC-PRD will result in an increase in the peak rate of storm runoff at the parcel boundary for the OSC-PRD as a whole for the 25-, 50- and 100-year design storms, and that there will be no net loss in flood storage capacity for the 100-year design storm. In making such determinations, any state or local orders or requirements of the Wetlands Protection Act or the Town's Wetlands Protection Bylaw³ shall be assumed in the calculations of runoff and flood storage without the OSC-PRD, but alternative forms of development shall not be assumed.
- (5) **On-site runoff and erosion control.** The applicant shall demonstrate that any adverse existing off-site runoff and erosion conditions or off-site runoff and erosion conditions which would result from the development of the OSC-PRD, are fully identified and that workable and acceptable mitigation measures are proposed as part of the submission of a final plan.

O. Residents association. In order to ensure that common open space and common facilities within the development will be properly maintained, each OSC-PRD shall have a residents association, which shall be in the form of a corporation, non-profit

³ Editor's Note: See Ch. 119, Wetlands Protection.

organization, or trust, established in accordance with appropriate State law by a suitable legal instrument or instruments properly recorded with the Worcester County Registry of Deeds or registered in the Worcester County Registry District of the Land Court. As part of the final OSC-PRD site plan submission, the applicant shall supply to the Planning Board copies of such proposed instruments, which shall at a minimum provide the information required by said OSC-PRD submission requirements, § 125-35L of this Bylaw, and Site Plan Rules and Regulations in effect at the time of final submission.

(1) **Responsibilities of the residents association.** Said legal instruments pertaining to the residents association shall specify that the residents association shall be solely responsible for all related improvements, and all costs associated with the operation of the development, including:

- (a) Roadway maintenance.
- (b) Snow-plowing.
- (c) Maintenance of street lighting and on-site improvements and utilities.

P. Amendments without public hearing. Following the granting of a special permit pursuant to this Section, the Planning Board may, upon application and for good cause shown, without public hearing, amend the OSC-PRD plan solely to make changes in lot lines shown on the plan, which lot lines are not part of the perimeter of the site, or other minor engineering changes, provided, however, that no such amendment shall:

- (1) Grant any reduction in the size or change in location of the open space as provided in the permit;
- (2) Grant any change in the layout of the ways as provided in the permit;
- (3) Increase the number of lots or units as provided in the permit; or
- (4) Decrease other dimensional requirements of any lot below the minima permitted by the approval of the initial site plan and special permit.

Q. Amendments requiring public hearing. Any proposed change to an existing OSC-PRD special permit considered substantial by the Planning Board, shall require notice and a formal public hearing in accordance with Massachusetts General Laws Chapter 40A, Section 9, 11, and 15 and an amendment to the special permit decision made pursuant to this section.

WARRANT ARTICLE

Article __. Amend the Protective Bylaw to Allow
Accessory Entertainment on Farms

To see if the Town will vote to amend Section 125-7, Paragraph A of the Code of the Town of Harvard relative to general agricultural uses and uses accessory thereto by making the following revision thereto, or take any vote or votes in relation thereto.

[Key to revision: underlining denotes added text]

§125-7 Agricultural uses.

Amended 3-5-1966 ATM by Art. 44; 3-6-1971 ATM by Arts. 33 and 34; 3-4-1972 ATM by Art. 44; 3-25-1978 ATM by Art. 23; 3-31-1990 ATM by Art. 18; 4-5-1997 ATM by Art. 46]

A. General agriculture. Agriculture (see § 125-2, Definitions) conducted on a parcel of five or more acres in area shall not be subject to the provisions of § 125-20 of this Zoning Bylaw, provided that the otherwise prohibited activity constitutes or is accessory to a principal agricultural use, as set forth in G.L. c. 40A, § 3. Accessory uses may include:

(1) An accessory camp for seasonal farm labor, approved by the Board of Health. A mobile home unit may be used for such a camp provided a permit issued by the Building Commissioner^u is in effect. A permit shall be for a sixty-day period. A permit may be renewed for additional periods up to a total additional time of 50 days. Setbacks for structures shall apply to the extent permitted by law.

(2) An accessory farm stand for sales of natural produce principally from the premises or from other premises that are part of the same principal agricultural use including premises constituting a "farming use" pursuant to § 125-35D(2)(a)[4].

(3) Accessory entertainment activities and events, provided that a license for such entertainment is obtained from the Select Board.

Annual Entertainment License Conditions
Center on the Common - 7 Fairbank Street

Approved 2.5.2013
Revised 12.20.2013

1. Hours of Operation
 - a. Sunday -Thursday 10:00 A.M. to 9:00 P.M.
 - b. Friday - Saturday 10:00 A.M. to 10:00 P.M.
2. The Chief of Police, Fire Chief or Zoning Enforcement Officer shall be the Board of Selectmen's agents, as appropriate, for determining compliance with these conditions.
3. The licensee holder shall designate, for each event, an on-site manager who shall be responsible for compliance with the operational aspects of these conditions. The on-site manager shall have a cell phone with the number registered at the communications center.
4. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or other loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood. If a complaint arises related to loud noise the on-site manager will be expected to resolve said complaint within 24 hours.
5. All entertainment shall be performed indoors.
6. Any advertisement for an event at which consumption of alcoholic beverages is permitted by the license holder shall clearly specify that consumption of beer and wine is by BYOB only.
7. Whenever 100 or more people are present at a scheduled event where entertainment is being provided, one police officer per 100 persons shall be present pursuant to a police detail approved by the Chief of Police and paid for by the licensee. This requirement may be modified on a case by case basis upon a written request by the licensee made at least one week prior to the event to the Chief of Police

Annual Entertainment License Conditions
Harvard General Store – 1 Still River Road

Approved 4.16.2013

Revised 12.31.2018

1. Hours of Operation

a. Sunday -Thursday 10:00 A.M. to 10:00 P.M.

b. Friday - Saturday 10:00 A.M. to 11:00 P.M.

2. The Chief of Police, Fire Chief or Zoning Enforcement Officer shall be the Board of Selectmen's agents, as appropriate, for determining compliance with these conditions.
3. The licensee holder shall designate, for each event, an on-site manager who shall be responsible for compliance with the operational aspects of these conditions. The on-site manager shall have a cell phone with the number registered at the communications center.
4. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or other loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood. If a complaint arises related to loud noise the on-site manager will be expected to resolve said complaint within 24 hours.
5. All entertainment shall be performed indoors.
6. The license holder shall ensure that no alcoholic beverages in open containers are brought into the portion of the General Store that is licensed as a package store. An appropriate sign or signs shall be installed advising patrons of the requirements of this condition and delineating the package store area.
7. The license holder shall ensure that no alcoholic beverages are consumed in the portion of the General Store that is licensed as a package store except as part of a wine tasting/beer sampling event under the terms of the package store license.
8. Whenever 100 or more people are present at a scheduled event where entertainment is being provided, one police officer per 100 persons shall be present pursuant to a police detail approved by the Chief of Police and paid for by the licensee. This requirement may be modified on a case by case basis upon a written request by the licensee made at least one week prior to the event to the Chief of Police or designee.

FRUITLANDS MUSEUMS, INC.
ENTERTAINMENT LICENSE CONDITIONS

Approved 4/6/2010

1. Entertainment License – Hours of Operation
 - a. Monday -Thursday 11:00 A.M. to 9:00 P.M.
 - b. Friday - Sunday 11:00 A.M. to 11:00 P.M.
 - c. New Year’s Eve 11:00 A.M. to 12 Midnight
 - d. New Year’s Day 12 Midnight to 1:00 A.M. And 11:00 A.M. to 11:00 P.M.
2. The Chief of Police, Fire Chief or Zoning Enforcement Officer shall be the Board of Selectmen’s agents, as appropriate, for determining compliance with these conditions.
3. The licensee holder shall designate, at all times, an on-site manager who shall be responsible for compliance with the operational aspects of these conditions. The on-site manager shall have a cell phone with the number registered at the communications center.
4. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or other loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood.
5. Temporary use of the Tea Room for scheduled events of fifty (50) or more people with live entertainment may be allowed only if a written permit is issued for such use by the Fire Chief, in consultation with local building inspector or other inspector, who may set the terms and conditions to protect against fire and preserve public safety.
6. Other entertainment consisting of auctions, background music, storytelling, solo/trio non-amplified woodwind/string instruments and choral performances is permitted during authorized hours of operation.
7. Except as allowed in subparagraphs below, all entertainment shall be performed indoors.
 - a. Up to fifteen (15) band or other concerts, using amplified musical instruments are permitted outdoors between April 15th and November 15th between 4:30 PM and 9:00 P.M. Nothing in this subparagraph shall be construed as prohibiting unamplified musical instruments.
8. Whenever 100 or more people are present at a scheduled event where entertainment is being provided, one police officer per 100 persons shall be present pursuant to a police detail approved by the Chief of Police and paid for by the licensee. This requirement may be modified on a case by case basis upon a written request by the licensee made at least one week prior to the event to the Chief of Police or designee.

9. The licensee acknowledges that the location of their facility is within a rural residential area and that excessive noise created by their activities could have a deleterious effect on their neighbor's rights to quiet enjoyment of their property. Accordingly, the licensee agrees to immediately moderate any such activity upon notification by any of the agents of the Board of Selectmen that a complaint has been filed. Failure to comply with this provision could result in suspension or revocation of this license.
10. The inclusion of any permitted activity in this license does not mean that it will be "grandfathered" as a right in future renewals of this license.
11. The Board of Selectmen reserves the right to modify any conditions or change any permitted activity during the period of this license should it be determined that this is necessary. A public hearing will be held prior to any modifications. The licensee will be given at least 30 days to comply.
12. Activities or functions not specifically allowed in this Entertainment License may be authorized on a case basis by the Board of Selectmen including, but not limited to outdoor festivals (with story tellers, pony rides, bands with artists and food vendors), road foot races, and outdoor shows (such as car shows). Additional requirements and conditions may apply to these other activities or functions.

CARLSON ORCHARDS
ENTERTAINMENT LICENSE CONDITIONS

Approved March 2022

1. Entertainment is permitted in the cider barn and patio only.
2. Entertainment License – Hours of Operation

Monday Holidays	11am to 6pm
Tuesday	11am to 6pm (only in the cider barn for private events)
Wednesday	11am to 6pm (only in the cider barn for private events)
Thursday	11am to 6pm
Friday	11am to 8pm
Saturday	11am to 8pm
Sunday	11am to 6pm
3. The licensee holder shall designate, at all times, an on-site manager who shall be responsible for compliance with the operational aspects of these conditions. The on-site manager shall have a cell phone with the number registered at the communications center.
4. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or other loud noise or other nuisance which substantially and adversely disturbs the quiet and peace of the premises or the neighborhood.
5. The licensee acknowledges that the location of their facility is within a rural residential area and that excessive noise created by their entertainment activities could have a deleterious effect on their neighbor’s rights to quiet enjoyment of their property. If the entertainment activity substantially and adversely affects the surrounding properties (as compared with the other, primary activities of the licensee as to sound) as determined by an agent of the Select Board, the licensee agrees to immediately moderate the entertainment activity upon notification by said agent(s). Failure to moderate such activity could result in suspension or revocation of this license.
6. The inclusion of any permitted activity in this license does not mean that it will be “grandfathered” as a right in future renewals of this license.
7. The Select Board reserves the right to modify any conditions or change any permitted activity during the period of this license should it be determined that this is necessary. A public hearing will be held prior to any modifications. The licensee will be given 30 days to comply.
8. Entertainment shall be offered as an adjunct offering to visiting the cider barn taproom and/or orchard not advertised as the sole purpose for visiting.
9. The licensed premises must comply with the occupancy designation and limit, as determined by the Town’s Board of Health and the Town’s Building Commissioner in accordance with the Massachusetts State Building Code.
10. At such time, as allowed by number 9, when any events occur where there will be an estimated 100 or more attendees/participants on the licensed premise, a police detail shall be arranged one week in advance.
11. The Chief of Police, Fire Chief or Zoning Enforcement Officer shall be the Select Board’s agents, as appropriate, for determining compliance with these conditions.

Annual Entertainment License Conditions
Harvard General Store – 1 Still River Road

Approved 4.16.2013

Revised 12.31.2018

1. Hours of Operation

a. Sunday -Thursday 10:00 A.M. to 10:00 P.M.

b. Friday - Saturday 10:00 A.M. to 11:00 P.M.

2. The Chief of Police, Fire Chief or Zoning Enforcement Officer shall be the Board of Selectmen's agents, as appropriate, for determining compliance with these conditions.
3. The licensee holder shall designate, for each event, an on-site manager who shall be responsible for compliance with the operational aspects of these conditions. The on-site manager shall have a cell phone with the number registered at the communications center.
4. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or other loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood. If a complaint arises related to loud noise the on-site manager will be expected to resolve said complaint within 24 hours.
5. All entertainment shall be performed indoors.
6. The license holder shall ensure that no alcoholic beverages in open containers are brought into the portion of the General Store that is licensed as a package store. An appropriate sign or signs shall be installed advising patrons of the requirements of this condition and delineating the package store area.
7. The license holder shall ensure that no alcoholic beverages are consumed in the portion of the General Store that is licensed as a package store except as part of a wine tasting/beer sampling event under the terms of the package store license.
8. Whenever 100 or more people are present at a scheduled event where entertainment is being provided, one police officer per 100 persons shall be present pursuant to a police detail approved by the Chief of Police and paid for by the licensee. This requirement may be modified on a case by case basis upon a written request by the licensee made at least one week prior to the event to the Chief of Police or designee.

WARRANT ARTICLE

Article __. Amend the Protective Bylaw to Allow
Accessory Entertainment in Town Center
Overlay District.

To see if the Town will vote to amend Chapter 125 of the Code of the Town of Harvard, the Town's Protective Bylaw, by adding thereto the following new Section 125-59 relative to the Town Center Overlay District, or take any vote or votes in relation thereto.

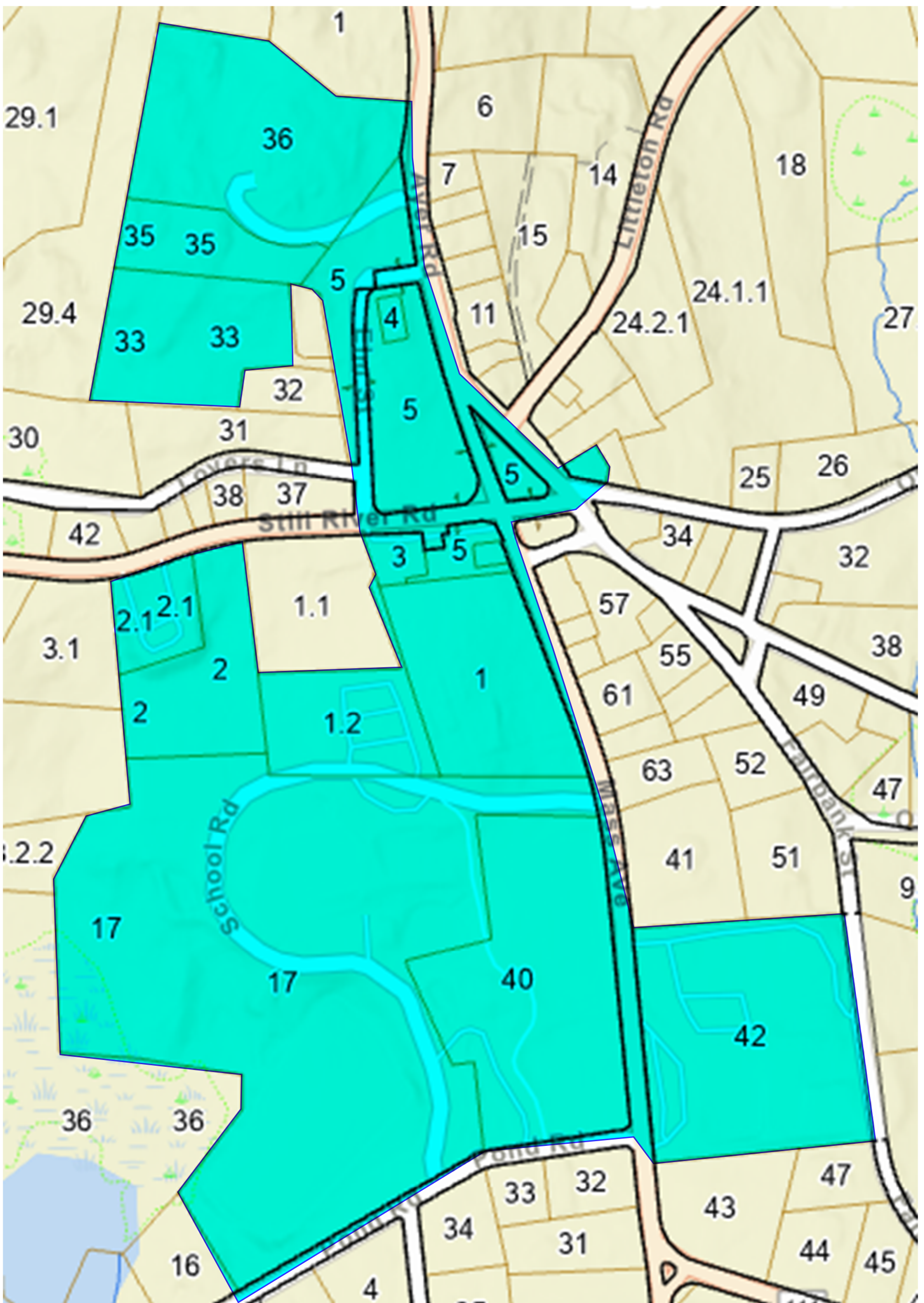
A. Purpose. The purpose of the Town Center Overlay District (TCOD) is to allow entertainment as an accessory use on certain properties which are primarily used for business, institutional and cultural purposes.

B. Establishment of overlay district. The TCOD is established as an overlay district. The TCOD consists of certain parcels of land on Still River Road, and Fairbank Street as shown on the Town Center Overlay District Map on file with the Town Clerk. Within the TCOD, all regulations of the underlying district remain in effect.

C. Permitted Accessory Uses in the Town Center Overlay District.

(1) All uses that are clearly subordinate to, and customarily incidental to, and located on the same premises with the main use or structure to which it is accessory.

(2) Accessory entertainment, provided that a license for such entertainment is obtained from the Select Board, except on properties in the TCOD which are use primarily for residential purposes.



Town Center Entertainment District Map - Revision 3
12/5/2022
Overall Plan - Zoomed out



Director of Planning
UPDATE
4 January 2023

TABLE OF CONTENTS

1. Special Permit and Site Plan Review: 203 Ayer Road (p. 1)
2. Ayer Road Vision Plan Project – Phase 1 (p. 8)
3. MBTA Multifamily Zoning Draft Guidelines Update (p. 9)
4. Outreach for Ayer Road Vision Plan Project (p. 13)
5. Site Plan Review: 184 Ayer Road (p. 13)
6. Seasonal Conversion: 90 Warren Avenue (p. 14)

■ **Special Permit and Site Plan Review: 203 Ayer Road**

Name of Applicant: Yvonne Churn and Wheeler Realty Trust
Location of Property: 203 Ayer Road, Harvard, MA
Assessors Map/Parcel: 8/62.2
Zoning District: Commercial (C)
Property Owner: Wheeler Realty Trust
Consulting Engineer: Goldsmith, Prest, & Ringwall, Inc.
Application For: Special Permit and Site Plan Review w/ Special Permit

SYNOPSIS

- **Section 125-37 Special Permit** – Recommend that Planning Board consider waiving the requirement.
- **Section 125-38 and 125-39 Site Plan Review** – There were a number of criteria that are missing or not fully clear in the initial site plan submittal. Much of these sections will need the peer review to be conducted before final assessment.
- **Section 125-46 Special Permits** – Much of these criteria must await the review of the peer review consultant. There are a few elements that are either clearly met or not met as noted below.
- **Section 125-52 ARV-SP Criteria** – Much of these criteria are not met and as the application currently stands, I would suggest that the project currently does not meet the criteria for this Special Permit.
- **Section 125-20 Use Criteria** – Similar to above, these Use Criteria are a mix of “need more information” and subject to peer review.
- **UPDATE Design Review** – Project is in process with the 5th meeting of the DRB scheduled for 5 January 2023. Applicant will provide narrative addressing DRB recommendations.

RECOMMENDATION: Hear applicant update and anticipate Design Review Board comments, continuing the hearing to a future date.

Request: The Applicant is seeking two Special Permits for a commercial development in the C district. Based on the provisions of Sections 125-52 and 125-23(B)(2) of the Protective Bylaw, such developments and businesses are allowed in the C district with a Special Permit and Site Plan Review.

Summary of Meeting #1 Comments

1. PEER REVIEW – Recommended peer review consultant. Planning Board voted to authorize staff to develop a consultant scope in conjunction with the Applicant’s representative. This scope has been released and we are awaiting responses.
2. SECTION 125-37 – Originally recommended that the applicant file the needed Special Permit. Conducted additional research, as follows:
 - [a] It was noted in April 4th UPDATE that the applicant would be required to also apply for a Section 125-37 Special Permit for Major buildings since the building subject of the application is 29,998 s.f. The primary purposes of this specific Special Permit are to further evaluate the proposed building related to bulk, design, and fire protection.
 - [b] The Applicant asserts that due to a filing of a 125-52 Special Permit, which includes a Section G(2) request for authorization of a building larger than that permitted by 125-37(A) supersedes the latter requirement. This notwithstanding that there is no specific limitation on size noted in this Section.
 - [c] Regardless of the lack of clarity of the 125-52 reference, it is inferred that this section 125-37 intends to allow a building larger than 10,000 s.f., a threshold that appears to only be identified in the Bylaw through provisions seeking to exceed this number.
 - [d] The applicant’s claim that a Section 125-52 Special Permit filing supersedes the need for a Section 125-37 Special Permit seems rational but is unsupported by any provision in the Bylaw and thus, in this reviewer’s opinion, should dictate a Planning Board finding of same and consideration of granting of a waiver of the necessity of filing a 125-37 Special Permit due to the inferred redundancy. Since the Planning Board is the Special Permit Granting Authority for both special permits, it would seem logical that the Planning Board has the authority to waive or render superfluous, the 125-37 Special Permit by a formal vote. However, the Board may wish to seek Town Counsel opinion on this step.
3. SITE PLAN COMMENTS – The following comments were intended to be actionable by Applicant or inquiries for further clarity or needed information:
 - [a] Noted that elevations for the rear and two sides of the building were required to be submitted.
 - [b] Recommended further lighting information including lighting intended in parking areas and attached to building.
 - [c] Noted that additional screening and/or buffering elements may be necessary but not to be addressed until further into the application process.
 - [d] Wastewater solution needs to be approved by the Board of Health for current proposed use. Board of Health should address what the remaining capacity in the system would be after this use meets the requirements.
 - [e] Design review is in process and will be available to the Planning Board prior to a decision to be considered as part of the Special Permit.

- [f] Basic submittal requirements of site plan review for landscaping have been submitted. However, additional criteria may be required based on special permit review and peer review process.

4. PARKING, LOADING, AND DRIVEWAYS

- [a] No shared parking elements are being proposed in this application. Shared parking is specifically where adjacent or proximal parcels share (typically a combined) parking area. This is one of the important criteria for the ARV-SP as well.
- [b] Expressed a concern over the proposed ingress/egress location along this stretch of Ayer Road.¹ This will be a focus of peer review and DPW should comment.
- [c] Thus, the proposed alignment of the driveway in relation to the existing curb cuts along Ayer Road and whether alignment or coordination with other driveways may be deemed appropriate. Further, such a 4-way intersection, with the associated turning movements, may require intersection signalization. A traffic study may be necessary to make these determinations.
- [d] No loading docks or facilities are provided. Applicant should provide details related to any needed loading facilities unless using parking and driveway areas, which should be verified.
- [e] Recommended that a traffic impact study be conducted based on the proposed use and an assumed set of other uses (in this case suburban office and general variety retailing). Reviewing the recommended ITE Trip Generation 10th edition data for peak hour, the 3 use categories are estimated as follows:
- Badminton (16 courts) – evaluated in line with tennis, on a per court basis, at 4.21 trips per court peak hour or $16 \times 4.21 = 68$
 - General Office (Suburban) – evaluated at 1.16 trips per 1,000 s.f. or $8 \times 1.16 = 9$
 - Variety Retail – evaluated at 6.84 trips per 1000 s.f. or $6.84 \times 8 = 55$
 - TOTAL COMBINED PEAK HOUR = 132
- [f] Granted that each use may have a different peak hour, but this trip generation suggests that the site, if developed as illustrated, would likely well exceed the threshold 400 trips needed to justify a traffic impact study.

5. OPEN AREAS, LIGHTING, BUFFERS, & SCREENING

- [a] The applicant states on the Site Plan cover page that there is an 867' lot width but that they wish to employ the alternative building siting offered as an incentive under 125-52. While the 125-52 provision is unrelated to the buffer strip, it appears that what the applicant explained in the meeting regarding the measurement of lot width, which is not the same as that provided in the zoning table, is accurate. I would seek the peer review consultant's analysis on this point.
- [b] Thus, an 86.7' buffer strip around the perimeter of the property would not be required as previously stated.
- [c] Still suggest that the applicant needs to provide a complete lighting plan as indicated in the UPDATE dated 4/4/2022.
- [d] Planning Board may wish to request that screening solution be upgraded to include more plantings, a berm, or fencing.

¹ The ideal solution would be to a) line up the driveway with the Bowers Brook development driveway to create a formal 4-way intersection and signalize it. Connect parcel to the Kurian property to the south and to the Harvard Green property to the west. Eliminate one or both curb cuts to the two Kurian properties to the south.

6. FIRE PROTECTION

- [a] Fire Dept. comments will be provided as received. Additional comments regarding fire protection may accrue from peer review consultant.

7. DRAINAGE

- [a] Peer review consultant (PRC) will provide comments on drainage. However, please see Harvard Green Order of Conditions #16 from 1997:

m. The **detention basin design has not, and cannot be approved for future development** not included within the Notice of Intent covered by these Orders, including but not limited to the development of the adjacent Commercial portion of the original parcel. **THIS IS A PERMANENT CONDITION.**

8. SIDEWALKS

- [a] Proposed gravel paths suggesting connection to external properties should 1) indicate how these will be received by these abutters and 2) that they connect directly to the internal sidewalk system proposed by the applicant.
- [b] Proposed TIP Shared Use Path has been engineered and should be shown on the site plan.
- [c] The Board should request on bond or other surety as a provisional compliance with sidewalk requirements in the event that the SUP is not constructed.

9. SIGNS

- [a] Anticipated standing and wall signs shall be provided as part of the Site Plan and Design Review Board processes and the PRC and staff planner will evaluate according to the provisions of this Section 41.
- [b] Business sign appears to possibly interfere with visibility of stop sign.

10. ZONING REQUIREMENTS

- [a] Rather than complying with the recently adopted minimum 20' setback and maximum 50' setback from the ROW, the applicant has requested the alternative minimum standard as depicted in Section 125-52(G)(1)(c) and as such has proposed a 104' setback for this PHASE 1 structure. This is not recommended and defeats the purpose of the new standards, design guidelines, and the ARV-SP objectives.
- [b] However, should the applicant propose a revised site layout which more closely aligns with the ARV-SP principles and the Design Guidelines for a village-like cluster, this may be more suitable.

11. SPECIAL PERMIT REQUIREMENTS

- [a] Advice from Planning Board or Other Town Boards – Pending
- [b] Special Permit – General Criteria

[1] Will not result in substantial increase of volume or rate of surface water runoff to neighboring properties and streets, and will not result in substantial danger of pollution or

contamination of the groundwater supply, a groundwater absorption area, a well, pond, stream, watercourse, W District, or inland wetland. Any and all surface water runoff resulting from development shall be retained within the lot in which it originates or shall be discharged into existing identifiable watercourses without material impact on abutting properties – **To be determined based on stormwater analysis and peer review.**

[2] Will, if the use is not agricultural or residential, result in no substantial increase in traffic, compared to refusal of the permit, on any residential street where the premises have access – **Not seen as applicable.**

[3] Will be in harmony with the general purpose and intent of the Bylaw, including each purpose stated in § [125-1](#), Purpose, which is pertinent to the particular application.

(i) **Elements Met**

- To prevent overcrowding of the land

(ii) **Elements Not Met**

- To protect the community from the detrimental effects of unsuitable development
- To conserve natural conditions and open spaces

(iii) **Elements To Be Determined**

- To conserve health
- To secure safety from fire, wind, flood, and traffic (traffic issues)
- To preserve and increase the value of land and buildings (based on final design)
- To preserve and increase the amenities of the Town (inconclusive)
- To provide for compatibility with individual water supply and sewage disposal systems and their renewal, and with public systems which may become available (Board of Health determination)
- To facilitate future reuse and redevelopment of property (inconclusive)
- To provide for safe, rapid traffic flow to, from, and along the streets (traffic issues)
- To avoid confusing and distracting signs in areas along the streets (unknown)
- To protect persons and property against the hazards of inundation and pollution
- To prevent pollution or contamination of, to conserve, and to protect watercourses, and their adjoining lands, groundwater absorption areas, and the groundwater table on which the inhabitants depend for their water supply
- To separate and otherwise isolate potentially conflicting property uses

(iv) **Inapplicable Elements**

- To avoid unsuitable traffic on residential streets
- To preserve the streets of the Town as firebreaks
- To preserve storage areas for seasonal or periodic high waters
- To protect ponds from accelerated and excessive plant growth and premature decay into swamps

[c] Section 125-52 ARV-SP Criteria

[1] Objectives of ARV-SP

(i) Promotion of mixed-use development – **Not met by current application.**

- (ii) Promotion of shared access in properties, with appropriate links to adjoining properties, lessening the need for curb openings on Ayer Road- **Not met by current application.**
- (iii) Promotion of development that emphasizes pedestrian accessible walkways, benches, pathways, bicycle racks, and pedestrian-scale lighting and signage - **Initial plan set had partial compliance. Will re-review subsequent submissions.**
- (iv) Encouragement of building and site designs compatible with the local architecture, rather than generic designs - **Not met by current application.**
- (v) Avoidance of excessive building massing and unbroken building facade treatments – **Not met by current application.**
- (vi) Subordination of parking, loading docks, on-site utilities, heating, ventilation and air conditioning equipment (HVAC), utility lines, and solid waste dumpsters to building form – **Partially met by current application. Parking subordination not met.**

[2] ARV-SP Review Criteria

- (i) Mixed Use Project Siting – Not located, sited, or grouped in a manner that aligns with the context of adjoining residential uses. Does not meet appropriate clustering.
- (ii) Historical Significance – Not applicable.
- (iii) Development Designed for Pedestrian and Bicycle Passage – Does have some measure toward this objective but will need additional modifications.
- (iv) Building and Site Design Impacts Mitigation:
 - Applicant has appeared to comply with the parking lot provisions.
 - Stormwater and landscaping do not seem to be integrated. For example, there are no obvious Low Impact Development (LID) features but rather more typical detention basins.
 - Solid waste appears to be addressed adequately related to PHASE 1.
 - No loading facilities have been proposed.
 - PHASE 1 building is out of scale with the neighborhood and surrounding properties.
 - Changes in grade and these impacts shall be evaluated by PRC.
 - Sewage disposal shall be evaluated as per meeting Title V requirements by the Harvard Board of Health and in conformance with this section by the PRC.

[3] Section G3 Findings – Section G3 of Section 125-52 provides for specific incentives to applicants in exchange for meeting the objectives and criteria. The Planning Board must first assess whether they feel the objectives and criteria have been met at a threshold level and then have been exceeded before determining to what extent these incentives should be awarded.

- (i) Preservation of an agricultural use, natural resources, including but not limited to woodlands, wetlands, streams and/or fields, or land with historic structures or other unique features - **NO**
- (ii) Connectivity between adjoining sites, or provisions for curb-cut reduction, shared access, and shared parking - **NO**
- (iii) Inclusion of multifamily use with a set aside of affordable housing units - **NO**

It is assessed that Section G3 criteria have not been met and that this project, in the assessment of this reviewer, is not eligible for any of the incentives noted in Section G2. Overall, no objectives of the ARV-SP have been met in full or partially. At this point, this reviewer does not see that this application has met the minimum criteria to be eligible for an ARV-SP and should resubmit a revised application packet that shows how it meets these specific provisions.

Section 125-20 Use Criteria

The applicant shall show satisfactorily that the use will comply with the Bylaw including in particular § [125-20](#). If a special permit is authorized, the authorizing board shall impose as a part of such permit conditions, safeguards, and limitations of time and use, in addition to any specifically provided in the Bylaw, as may be appropriate for protection of the neighborhood, the community, and the natural environment, including the groundwater supply, a groundwater absorption area, or other wetland resource. These criteria shall be reviewed by the PRC as part of their analysis.

(A) No use is permitted which is injurious, offensive, or otherwise detrimental to the neighborhood, the community, or the natural environment, including the groundwater supply, a groundwater absorption area, or other wetland resources, because of:

- Concussion, vibration, noise, or other mechanical disturbance; *Applicant should speak to hours of operation, use of machinery on site, and idling vehicles;*
- Smoke, dust, odor, fumes, or other air pollution; *Not anticipated based on initial PHASE 1 use but this should be confirmed;*
- Glare, fluctuating light, or electrical interference; *The applicant needs to provide additional information related to lighting as noted above;*
- Danger of fire, explosion, radioactivity, or other danger; *Fire or explosion are not anticipated based on proposed PHASE 1 use;*
- Wastes or refuse (except at the Town Transfer Station); *Applicant should note what times of the day waste will be hauled away given the close proximity to a residential area;*
- Likelihood of substantial increase in volume or rate of surface water runoff to neighboring properties and streets, or substantial danger of pollution or contamination of the groundwater supply, a groundwater absorption area, or a well, pond, stream, watercourse, W District, or inland wetland; *Shall be reviewed as part of PRC;*
- Other characteristics. *None anticipated.*

(D) Development shall provide water supply and sewage disposal approved by the Board of Health.

Defer to comments to be provided by the Board of Health.

Comments and Recommendations

Based on a review of the submitted packet, site visit, and review of the Protective Bylaw, staff has the following comments:

- **See Synopsis above for a summary of comments, status, and recommendation.**

Recommendation: Hear applicant update and continue hearing to a future date certain.

■ Ayer Road Vision Plan Project

Status of Consulting Work in Phase 1

We are close to agreeing in principle to the revised scope of work provided by Weitzman Associates. Once we go to contract, the timeline for the project is three (3) months which if we were to start the project on May 1st, it will be completed at the end of July—well in advance of Fall Special Town Meeting.

Preparations for Phases 2 and 3

There has been some public critique of the outreach conducted on Phase 2 and 3 and the request for CPIC funds. It would be helpful if members evaluated the outreach materials on the project website and provided some ideas and feedback to staff. Here are a few ideas for how we could conduct outreach for the Ayer Road Vision Plan project over the next few months:

1. Booth at Annual Town Meeting (May) – This has been discussed at the Planning Board and no further advancement of the idea as of yet. Perhaps we can have stacks of the handouts and perhaps a few bound versions of the White Paper (or we can have flash drives with the pdf loaded on it too). We could have Chris and one PB member staff the booth before and during Town Meeting. Any other ideas? Who do we need to speak to regarding securing a booth?
2. Build Up Website – So far, the project website is pretty robust but may be a little dated. Members should take a look at the site (link below) and evaluate it for what else we can do and how to improve.
3. Focus on Facebook Development – I have an economic development Facebook Group and we could further develop this or develop the Page as well. Right now, it only has seven followers but we could flesh it out a bit.

4. Other social media ideas include further marketing the Planning Blog, creating a podcast, creating a vlog, hosting coffees at the HGS, or something similar. We also discussed visiting the transfer station and we could also have a booth or presence at sports fields.

Additional ideas are welcome. The project page link is here:

<https://www.harvard-ma.gov/economic-development/pages/ayer-road-planning-framework-project>

■ MBTA Multifamily Zoning Draft Guidelines Update

Draft Letter

The draft letter was finalized, signed, and submitted to the state on 3/29/2022. It was also sent to MAPC, MRPC, 495 MetroWest Collaborative, and the Assabet Regional Housing Consortium.

Select Board Briefing

This required public briefing was held on Tuesday, April 12, 2022 during the Select Board's regular meeting.

Community Information Form

The required Community Information Form (CIF) was submitted on Wednesday, April 13, 2022 and confirmation was sent on to Planning Board members and other stakeholders.

Options to Proceed

At this point and to be discussed at the last meeting and this meeting, the Planning Board needs to further discuss potential alternatives for approaching this task. Once alternatives are developed, the Board can assess whether a single strategy will be pursued or whether it makes sense to try to develop more than one as a contingency. Here are some suggestions:

1. **OPTION A:** Consider weaving the provisions into the Ayer Road Vision Plan. Here we would shoot for Annual Town Meeting 2023 with a Form-Based Code solution that would include the multifamily requirements. This is arguably the ideal solution as we were advocating for a mixed-use solution for Ayer Road anyway and this allows for the seamless integration of MBTA Guidelines into our postponed bylaw.

Positives	Negatives
<ol style="list-style-type: none"> 1. Best location 2. Aligns with pre-existing goals and objectives 3. Easiest to advocate for and sell 4. Citizens have expressed an interest in this area 	<ol style="list-style-type: none"> 1. Will take the longest time frame 2. No guarantee project will move forward

2. **OPTION B:** Find a specific location in the vicinity of the Ayer Road Corridor (but not in the C District) to zone for a standalone district. We will need to use a map and brainstorm specific locations that have reasonable access to Ayer Road and also are good options for hooking up to Devens or Ayer water and sewer. Ideally these parcels should be either part of larger parcels already zoned commercial or that are adjacent to commercially zoned parcels. Utilize a new standalone replacement language for existing multifamily language in bylaw.

Positives	Negatives
<ol style="list-style-type: none"> 1. Next or alternative best location 2. Near alignment with pre-existing goals and objectives 3. Easiest to advocate for and sell 4. Citizens have expressed an interest in this area 	<ol style="list-style-type: none"> 1. May cause opposition from neighbors

3. **OPTION C:** Consider a temporary provision by amending the ARV-SP to meet the minimum requirements in order to buy time to develop something more appropriate and fitting. This would involve enhancing the ARV-SP to align with state guidelines and also remove it as a special permit (or say that if multifamily is built to requirements, it can be by-right but otherwise would need a special permit still).

Positives	Negatives
<ol style="list-style-type: none"> 1. Best Location 2. Allows Town to buy time to thoughtfully consider a better permanent solution 	<ol style="list-style-type: none"> 1. Will be hard to build trust on a temporary solution 2. May be unintended consequences

4. **OPTION D:** Look for a specific location or locations throughout Harvard that meet the guidelines and use the existing multifamily language in the bylaw as a starting point. This would require an even bigger brainstorming effort by looking at the map for the entire community. Should you wish to proceed on this option, I would recommend taking the following preliminary steps:
- a. Note the locational guidance provided by the Guidelines, which state *“When an MBTA community has no land area within 0.5 mile of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles—for example, near an existing downtown or village center, near an RTA bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing.”*
 - b. Think about other locational criteria that would apply such as being close to shopping and services, walkability, compatibility with adjacent zoning or land uses, etc.

- c. Use the GIS [HERE](#) to research parcels in town. If you do not know how to use the GIS, let us know and we can provide for you the useful tutorial that Liz developed a couple years ago. Using the GISm you can turn on and off layers showing zoning, wetlands, topography, and other criteria that can help you seek suitable properties.
- d. I can also send you a PDF file of the town map with parcels showing if that would be helpful. I have had several members already provide a map of parcels to consider and I have created a master map showing all of them. I can send this to you as well if you wish to see what others did.
- e. You may also wish to create a narrative or description for each property you identify that notes why this property is a good option and how it meets one or more criteria.

Positives	Negatives
<ol style="list-style-type: none"> 1. May find a location that does not have as much overall impact on Harvard 2. More likely to maintain rural character by marginalizing the development 3. Potential to isolate in an area that has no visibility or connectivity 	<ol style="list-style-type: none"> 1. Likely to cause opposition from citizens and neighbors. 2. Location(s) may be controversial 3. May not meet state's criteria

5. **OPTION E:** Consider establishing an MGL 40R district and include MGL 40S. DHCD has indicated that they may come up with a specific program like 40R for the MBTA communities. This may be more challenging to establish because it is complex and has lengthy requirements, but it also has some key benefits to consider. Foremost in benefits is cash payments from the state to the Town for each unit built and each school kid anticipated as part of the development. These are *one-time* payments and not ongoing but pretty big. I guess you might argue, "If you have to build multifamily, why *wouldn't* you do this?"

Positives	Negatives
<ol style="list-style-type: none"> 4. MGL 40R provides payments to Harvard for two provisions: zoning incentives and density bonus payments. 5. MGL 40S provides payments to communities that establish 40R districts to cover the cost of educating school-age children of up to \$600,000 and an additional \$3,000 per student. 6. Aligns with Ayer Road Vision Plan 	<ol style="list-style-type: none"> 1. Will take a long time to develop. 2. Will likely require a consultant to assist. 3. May not be timed to align with ARVP. 4. May not provide Harvard enough flexibility to control the design and layout.

Some of these may be blended or used together (e.g., 1, 3, and 5). The Board should also consider how it wants to engage the public. Would the Board want the public to give input on suggestion solutions or locations, or rather give the public a few options to respond to? Maybe the Board doesn't think public input is necessary or desirable? IMPO I would consider engaging early and often. There is a lot to further develop by the state before Harvard can go much further. For example, they may modify the guidelines based on community input. However, some of these issues should at least be preliminarily discussed.

Potential Timelines

The following table is a rough estimate for how long each suggested option might take. Of course, they will vary based on how we integrate public outreach, funding requirements, technical assistance, and other factors.

Option	Q2 2022	Q3 2022	Q4 2022	Q1 2023	Q2 2023	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Q4 2024
OPTION A										
OPTION B										
OPTION C										
OPTION D										
OPTION E										

Finally, please note that the Planning Board is NOT constrained by the typical two-year wait to bring failed bylaws back to Town Meeting. This is clearly stated in MGL 40A, Section 5 as follows:

No proposed zoning ordinance or by-law which has been unfavorably acted upon by a city council or town meeting shall be considered by the city council or town meeting within two years after the date of such unfavorable action unless the adoption of such proposed ordinance or by-law is recommended in the final report of the planning board.

All it requires to supersede this provision is to develop a Planning Board report recommending passage of the Bylaw. The passage above is a clickable link taking you to MGL Chapter 40A, Section 5.

UPDATE: *DHCD issued Compliance Guidelines on 10 August 2022. Harvard was categorized as an Adjacent Small Town, assigned a minimum multi-family unit capacity of 113. The Action Plan was submitted on 20 December 2022. As part of the Action Plan, a letter was sent to the owners of all known multi-family / multi-home parcels. This was part of the process to identify existing multi-family parcels as part of creating a zoning district of a reasonable size where multi-family housing would be permitted by right and to avoid spot zoning. A draft map of these parcels has been created. To meet the DHCD requirements that the zoning district have reasonably close proximity to existing MBTA commuter rail stations, the area of Harvard that is East and North of Route 111 seems to provide the most options, if a developer were able to meet state water and septic requirements.*

■ Ayer Road TIP Project Update

MassDOT Public Hearing

On Wednesday, March 30, 2022, the Massachusetts Department of Transportation conducted a public hearing remotely via Zoom in regard to a project referred to as Resurfacing and Box Widening of Ayer Road, which locally is described as the Ayer Road TIP² Project. Similar to the 10% design public meetings, this hearing on the 25% design, included several comments about a roundabout at Gebo Lane and also some landscaping concerns in the right-of-way.

Given the continued concern by several members of the Transportation Advisory Committee (but not the TAC formally), MassDOT expressed its willingness to meet with Town officials to further discuss the roundabout and some other issues. This meeting will be set up by the Town Administrator and be held soon.

Another concern expressed at the hearing was how the TIP project was going to take into consideration projected commercial and residential growth in the corridor and if the design was robust enough to absorb projected growth and also whether future water and sewer facility installation would necessitate excavation of the newly developed roadway shortly after completion.

MassDOT noted that to redesign the current 25% project would add 1-2 years onto a project already not set to begin until FY 2026 and would likely cost the town itself more funds for the engineering and ROW acquisition. It would also raise the cost of the federally funded portion of the project.

Site Plan Review –184 Ayer Road

Name of Applicant: Chris & Emily Goswick
Location of Property: 184 Ayer Road, Harvard, MA
Assessors Map/Parcel: 8/41
Zoning District: Commercial (C)
Property Owner: PHOENIX-DURANGO LLC
Consulting Engineer: Dillis & Roy
Application For: Site Plan Review

Request: The Applicant is seeking SITE PLAN APPROVAL for a commercial development in the C District. Based on the provisions of §125-13(A) of the Protective Bylaw, such developments and businesses are allowed in the C district with a Site Plan Review. Both §125-38 and §125-39 apply. Dillis & Roy represent the applicant. Existing building to be renovated as a first-floor optometrist office and upper floor for a residential use 3-bedroom unit. No plan to change exterior elevations.

² TIP refers to the Transportation Improvement Program that addresses federally funded highway projects.

Septic system exists on the property – age and capacity are in question by the Board of Health – records not conclusive. Applicant has submitted a new septic plan after soil testing in compliance with Title 5 and local regulations and expects to receive permit. System has been sized for the uses indicated this evening. Using existing curb cut, parking area, with no structural changes. Plan shows applicant will memorialize parking with striping, paving and re-grading as well as ADA accessible access to the offices. Applicant will remove excess pavement on the property as it is not needed for the proposed use. Keeping existing well because water use falls below the PWS requirements. Proposal tripped site plan review and Landscape plan due to change in use.

Recommendation: Hear applicant’s updates and if it were necessary, continue hearing to a future date. Proposal may require Special Permit from Zoning Board of Appeals because it is a new use.

Comments for ZBA regarding Special Permit Request – 90 Warren Avenue

Name of Applicant: Mary Maxwell
Location of Property: 90 Warren Avenue, Harvard, MA
Assessors Map/Parcel: 27/15 (only 1.4 acres)
Zoning District: W-District
Property Owner: CURRAGHDUFF, LLC
Consulting Engineer: David E. Ross Associates, Inc.
Application For: Conversion of Seasonal Residence §125-11.

Dan Wolfe is representing the applicant for the parcel at 90 Warren Avenue, which has a lawful existing seasonal residence on a pre-existing, non-conforming lot that meets all required setbacks.

Section 125-11 requires that the conversion of a lawful existing seasonal residence for use as a permitted year-round residence and for which the lot is not conforming (only 1.4 acres) to the lot size standards of the Bylaw is subject to special permit. However, § 125-4(B) permits this use.

Such a permit shall be authorized only if Minimum Standards of Fitness for Human Habitation and Minimum Requirements for Subsurface Disposal of Sanitary Sewage (Chapter II and Title V of the State Sanitary Code) and any additional requirements of the Board of Health are all met for permanent year-round residence. The Board of Appeals finds that similar such conversion of all seasonal residences in the general area having lots similar (or less limited) in lot size and land and soil type characteristics would not result in substantial danger of contamination of the groundwater supply or of any pond or stream; the ability of the soil to absorb expected quantities of sewage disposal effluent, the degree of filtration of effluent before entering bedrock fissures or other groundwater supply, and other characteristics of the land and soil types shall be considered.

Recommendation: Because construction site is in an area adjacent to wetlands and Bear Hill Pond, review comments of Conservation Commission and verify approval from Board of Health. Proposal requires Special Permit.